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THE AMERICAN JOURNAL OF SEMITIC LANGUAGES AND LITERATURES

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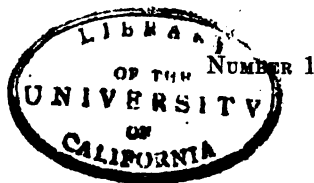


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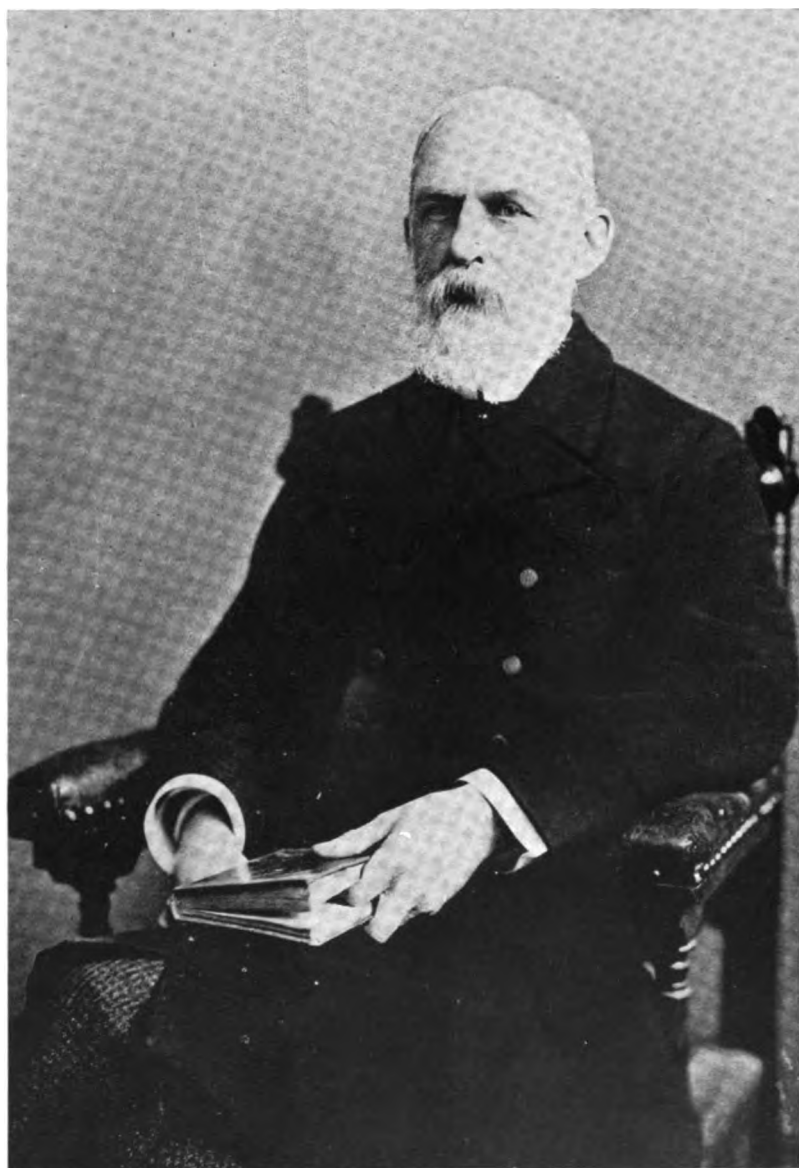
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The Editorial Board of the *American Journal of Semitic Languages and Literatures* regretfully places on record the death, on May 12, 1919, of Professor Crawford Howell Toy, A.M., LL.D. Professor Toy's long service in Harvard University, his thoroughly scientific attitude, and his generous and kindly spirit, together with his numerous and valuable contributions to the scholarly literature of his subject, have given him world-wide recognition, and make it a privilege to honor his memory.



CRAWFORD HOWELL TOY

1836-1919

THE AMERICAN JOURNAL OF SEMITIC LANGUAGES AND LITERATURES

VOLUME XXXVI

OCTOBER 1919

NUMBER 1

AN APPRECIATION OF PROFESSOR TOY

BY GEORGE F. MOORE
Harvard University

Crawford Howell Toy was born in Norfolk, Va., March 23, 1836. His preparatory studies were made at the Norfolk Academy. At the age of sixteen he entered the University of Virginia, where, at the end of a four-year course, he took the degree of Master of Arts in 1856.¹ Among his teachers were Gesner Harrison in Greek and Latin, and William B. Rogers (afterward of the Massachusetts Institute of Technology) in physics. For the next three years he remained in Charlottesville, teaching in the Albemarle Institute, a school for young ladies, and doubtless took advantage of the academic vicinage to carry on his own studies. He entered the newly founded Southern Baptist Theological Seminary, Greenville, South Carolina, at its opening session in the autumn of 1859, and in one year absorbed, it is said, three-quarters of the instruction then offered in the seminary, distinguishing himself in all his courses. His purpose was to become a foreign missionary. With this in view he was ordained to the Baptist ministry at Charlottesville, Va., in June, 1860; and

¹ The following honorary degrees were later conferred on him: D.D., Wake Forest College, N.C., 1872; LL.D., Howard College, Ala., 1882; University of North Carolina, 1889; Harvard University, 1904.

was under appointment to go to Japan when the political commotions ensuing upon the election of Lincoln (November, 1860), with the mutterings of secession, decided the Missionary Board not to send out any new missionaries. For a moment Toy thought of going on his own account, but the swift movement of events put such a plan out of his head.¹

In October, 1861, he went into the Confederate army as a private in the Norfolk Artillery Blues, but before long he was made a chaplain. A letter from a former fellow-student to Broadus, dated Hamilton's Crossing, Va., March 30, 1863, tells:

I saw Toy ten days ago. He is chaplain in the Fifty-third Georgia Regiment, Seemes' [sic] Brigade,² McLaws' Division, and is quartered near here. Is looking very well, and seems to be enjoying himself. His Syrian books are in Norfolk, and he has therefore been compelled to fall back on German for amusement.

Toy was with his division in Longstreet's Corps at Gettysburg, where it was in the hottest of the fighting on the second day and suffered heavy losses. In Lee's retreat he was left behind with the surgeons who remained with the wounded of his brigade, and was taken prisoner. He was confined at Fort McHenry, Baltimore, until December, when he was exchanged and rejoined the army. From September, 1864, to April, 1865, when the buildings of the university were burned by Federal cavalry, he was professor of natural philosophy in the University of Alabama, then a training school for the Confederate army, teaching applied mathematics. In the academic year 1865-66 he taught Greek in the University of Virginia as a licentiate. The two following years, 1866-68, were spent in Berlin,³ where he studied the Semitic languages, especially Arabic, under

¹ An extract from a letter of Toy to Professor Broadus of the seminary at Greenville, S. C., dated Nov. 25, 1860, is of interest in this connection: "I suppose you are a secessionist. You have seen the action of the Alabama brethren. I hope Dr. Boyce [the president, who was in the North on a mission to collect funds for the seminary] will disentangle himself from New York before South Carolina leaves the Union. You all seem inclined to snub us in Virginia, hardly willing that we should enter the Southern Confederacy. In that case we shall have to put ourselves on our dignity, and rely on our prestige and our tobacco. But I hope we shall stand together."—A. T. Robertson, *Life and Letters of John Albert Broadus* (1901), p. 178.

² Paul J. Semmes, in whose brigade the Fifty-third Georgia was through the battles in the Peninsula in 1862 and thereafter. Semmes was mortally wounded at Gettysburg, July 2.

³ It is not without interest that C. A. Briggs was a student in the University of Virginia from 1857-60 and in Berlin from 1866-69.

Roediger and Dieterici, and Sanskrit with Weber; he also heard Dorner in theology, but apparently no courses in the Old Testament.

After his return Toy became professor of Greek in Furman University, Greenville, South Carolina, and taught in it from January to July, 1869. In May of that year he was appointed professor of Old Testament interpretation and oriental languages¹ in the theological seminary in the same place, and entered upon his duties in the autumn. His inaugural address, on the "Claims of Biblical Interpretation on Baptists," shows that he had not been infected by the germs of criticism. After dwelling on the special obligations of Baptists to the Scripture, "because of our complete dependence on the Bible," and laying down corresponding principles of interpretation, he continues: "A fundamental principle of our hermeneutics must be that the Bible, its real assertions being known, is in every iota of its substance absolutely and infallibly true."

Toy taught in the Southern Baptist Theological Seminary for ten years, accompanying it in its removal from Greenville to Louisville, Ky., in 1877. Besides his own subjects, the illness or absence of one or another of his colleagues made it necessary for him to teach, at different times, the Greek New Testament (1868), biblical introduction (1871), and "Latin theology" (1876), under which title those who elected the subject studied Turretin's *Institutes* and read selections from Thomas Aquinas.

According to the account of the matter given by Broadus,² Toy's first departures from the pattern of orthodoxy were well-meaning attempts, in the interpretation of the Old Testament, to establish a harmony between its statements and the teachings of modern geology, astronomy, and ethnology; his further declension is attributed to his acceptance of the evolutionary views of Darwin and acquaintance with the writings of Wellhausen and Kuenen, who applied the doctrine of evolution to the Old Testament. This is a schematic explanation of the ravages of the "higher criticism" among American scholars; Darwin and Wellhausen became a formula for the *fons et origo malorum*. As a history of a particular

¹ After two or three years "oriental languages" disappears from the title.

² John A. Broadus, *Memoir of James Petigru Boyce, D.D., LL.D., etc.*, 1893. See also J. R. Sampey, "Brief History of the Southern Baptist Theological Seminary," in the *Review and Expositor*, January, 1910.

case its value is correspondingly diminished, especially in a palpably apologetic and otherwise not altogether accurate context.¹ In a more general way, however, it is not improbable that Toy's first difficulties with the infallibility of Scripture were scientific rather than historical; it was the experience of many in that generation, and the more likely in his case because of his strong interest in natural science. Of Kuenen there will be occasion to speak in a later connection.

Before the end of the first year of the seminary in Louisville (1877-78) some of his colleagues became much concerned about Toy's teachings and their influence on the students, and they exhorted him to avoid the incendiary questions of biblical criticism—a reticence which inquisitive students made impossible. The concern grew to alarm in the following year, and the apprehension of Boyce and Broadus for the reputation and prosperity of the seminary was doubtless made the keener by attacks from outside. Professor Toy, who had been contributing week by week to the *Sunday School Times* an exposition of the Sunday-school lessons, interpreted the persecuted and afflicted servant of Jehovah in Isaiah 53, not as directly predictive of the vicarious sufferings of Christ, but as referring primarily to Israel, more especially to the godly Israel within Israel, as in Isa. 49:3 and elsewhere in this part of the book. This by no means novel exegesis provoked a violent denunciation from the *Christian Intelligencer*, in the rôle of *inquisitor haereticae pravitatis* which the editors of denominational newspapers in those days often assumed.² The clamor against the *Sunday School Times* for publishing such pernicious misinterpretations of Scripture was an unmistakable warning to the institution which harbored their author. In this situation Professor Toy laid before the trustees at their meeting in May, 1879, a statement of his views, and at the same time put at their disposal his resignation, which

¹ Wellhausen's *Geschichte* was published in 1878, and it is hardly likely that either it or the articles on the composition of the Hexateuch in the *Jahrbücher für deutsche Theologie* (1876-77) had so immediate an echo in Louisville. Darwin's "most important works" did not appear "about that time"; the *Origin of Species* was published twenty years before, in 1859, the *Descent of Man* in 1871.

² The interpretation was branded as "rationalistic stuff," a base surrender to "unbelieving, Christ-hating Jews and infidel neologists," with more rant of the same kind. See *The Independent*, May 1, 1879, p. 15; May 29, p. 14.

was at once accepted. In the existing temper of the denomination on which the seminary was dependent both for students and funds, the separation of Professor Toy from the seminary was inevitable, and it is to be said to the credit of all immediately concerned that it was effected at least with dignity. A newspaper controversy followed, especially in the columns of the *Religious Herald* of Richmond, the action of the president and the trustees being condemned by some of Toy's friends and former pupils, and on the side of the authorities defended as the only course the seminary could consistently take.

Having no outlook in his own calling, Toy went to New York, where he found very modest employment in the office of the *Independent*. After a few months spent in this makeshift occupation, he was called to the chair of Hebrew and other oriental languages in Harvard University. W. Robertson Smith, professor of oriental languages and Old Testament exegesis in the Free Church College, Aberdeen, had recently been invited to this chair, but the ecclesiastical proceedings to deprive him of his professorship which had been in progress since 1876 not having reached a final decision, he felt it his duty to hold on in Scotland. The newspaper discussion over Professor Toy's case opportunely brought to President Eliot's notice the American scholar whose critical opinions had involved him in similar trouble, and after getting what information he could from others, he sought Toy out in his narrow journalistic quarters in New York, and by an interview with him promptly satisfied himself that both in learning and in spirit he had found the kind of man he wanted.

The chair to which Professor Toy was called was by its title and in the intent of the foundation what we should now call a professorship of Semitic languages, among which Hebrew traditionally held the foremost place; and its first incumbent, Stephen Sewall, had in his time considerable reputation for his attainments in this field; but for a good while it had been actually no more than a chair for the Old Testament in the Divinity School. Professor Toy took his commission in a larger way, and laid the foundations of a department of the Semitic languages and literatures.

The time seemed auspicious for such an enterprise. The noise that was made about the "higher criticism" brought the Old Testament into the focus of controversial interest, and there was an extraordinary revival of the study of Hebrew, not only in seminaries and colleges, but in summer schools and correspondence classes.¹ Arabic, as the *sine qua non* of Semitic philology, felt the effect of this new stimulus. There was great curiosity, also, about the revelations that were coming from the Assyrian monuments and libraries, and sanguine expectations that the solution of all manner of religious, historical, and linguistic problems was waiting to be deciphered from cuneiform texts.

Toy, at first single-handed, offered courses not only in the Hebrew language and the interpretation of the Old Testament, introduction, and the history of the Hebrew religion with comparison of other Semitic religions, but in Arabic, and in Mohammedan history (the Caliphates); and from time to time, as students offered themselves, in Ethiopic, the Phoenician inscriptions, and other subjects. In 1882, David Gordon Lyon, a pupil of Toy's at Greenville and Louisville, who, since leaving the seminary in the summer of 1879, had been pursuing his studies in Germany, particularly in Assyrian, was appointed Hollis Professor of Divinity, and became Professor Toy's colleague in the Semitic field, taking part of the instruction in Hebrew and Aramaic, as well as Assyrian, and Old Testament history. Even after this distribution Professor Toy did a great deal of teaching, and though, from the nature of the subjects taught, most of his courses had but a slender attendance, he attracted some of the best students in the college, among them men whose special interests lay in other fields.

He was an admirable teacher, exact in his own knowledge of the matter, orderly in its disposition, lucid in exposition, patient with stupidity and even with opinionatedness, taking a warm personal interest in his pupils and an encouraging estimate of their abilities and possibilities, and setting them a high example of love of learning and single-minded pursuit of truth, whithersoever the quest might lead. His character and the spirit and method of his instruction were themselves an education in the true aims and temper of scholarship.

¹ In this revival no one had so large a part as Professor (afterward President) William Rainey Harper, whose enthusiasm and pedagogic skill were irresistible.

Both in the Faculty of Divinity and the Faculty of Arts and Sciences Professor Toy at once became a man of influence by his clear apprehension and sound judgment in academic problems. He rendered efficient service also on the Administrative Board of the Graduate School and on the Library Council.

Professor Toy for many years took an active part in learned societies, especially the American Philological Association, of which he was, for one year the president, the American Oriental Society, in which he filled the offices of recording secretary and of president, and the Society of Biblical Literature. He was the founder and leading spirit in two local societies, the Harvard Biblical Club (1881) made up of the teachers of the Old and New Testaments in the institutions in the vicinity of Boston and other students in this field, and a small club for the study of the history of religions (1891) which has counted among its members some of the most distinguished scholars in the University—philologists, archaeologists, and anthropologists. Under the auspices of this club, in 1912, a volume of *Studies in the History of Religions* was presented to Professor Toy by his "pupils, colleagues, and friends," to which was appended a bibliography of Professor Toy's writings (not including book notices and unsigned articles), by Mr. Harry Wolfson.

During his long term of active service Toy four times had leave of absence for a year,¹ and most of this time was spent abroad. The winter of 1887-88 he was in Egypt, where he occupied himself not only with contemporary Moslem civilization and the remains of its antiquity, but with the spoken Arabic of the country, upon the pronunciation of which he subsequently read a paper before the Oriental Society. Upon his return in 1888 he married Miss Nancy Saunders of Norfolk, Va., who survives him. In September, 1909, he retired and devoted himself to completing a work he had long had in hand, the *Introduction to the History of Religions*, published in 1913. Failing eyesight and declining health prevented the execution of other plans. He died in Cambridge, May 12, 1919.

Professor Toy had a great capacity for work, and his energies were well directed, deliberate, and persistent. Besides his teaching and his own writing, he was one of the editors of the *New*

¹ 1887-88, 1894-95, 1901-2, 1908-9.

World throughout its decade of existence (1890-1900), and contributed to it many articles and reviews, the first on the life and work of Abraham Kuenen (1892), and the last a memorial of his colleague and fellow-editor, Professor Charles Carroll Everett (1900). The *Harvard Theological Review* (1908-) also had in him an experienced counsellor and highly valued contributor. He was one of the active editors of the *Jewish Encyclopedia* (12 vols., 1901-5), having for his particular charge the department of Hebrew philology and Hellenistic literature; and while he wrote little for it himself, he put a great deal of time and labor into the revision of the many articles to which his editorial initial is affixed as a kind of imprimatur. To the *Encyclopaedia Biblica* he contributed some important articles (Ecclesiasticus, Ezekiel, Proverbs, Sirach, Wisdom Literature, Book of Wisdom), and on several of these books he furnished articles also to the eleventh edition of the *Encyclopaedia Britannica*.

Professor Toy's early interests were largely in the field of Semitic comparative grammar, and a number of papers, beginning in 1876, chiefly in the *Transactions of the American Philological Association* bear witness to studies in this subject.¹ They are for the most part a critical résumé of current hypotheses and discussions, rather than original researches. To the *Journal of the Society of Biblical Literature and Exegesis* he contributed from time to time various pieces of investigation upon which he was engaged.²

His lasting reputation among scholars, however, rests upon his larger works in the field of Old Testament interpretation and the history of religion. The earliest of these was the translation and revision of the commentary on Samuel in the Lange series, in collaboration with his colleague, Professor Broadus,³ Toy taking the critical and exegetical part of the work, and leaving the homiletical

¹ The following partial list of titles indicates the scope of these studies: "Hebrew Verb-Etymology"; "The Nominal Basis of the Hebrew Verb"; "Modal Development of the Shemitic Verb"; "The Hebrew Verb-termination *un*"; "The Home of the Primitive Semitic Race." Several papers of similar character, of most of which only abstracts were printed, were read before the American Oriental Society, e.g., "Noun Inflections in the Sabean" (1885); "Guyard's Theory of Semitic Internal Plurals," etc.

² "The Babylonian Element in Ezekiel" (1881); "Date of the Korah Psalms" (1884); "The Asaph Psalms" (1886); "Rise of Hebrew Psalm-Writing" (1887); "The Earliest Form of the Sabbath" (1899); "Evil Spirits in the Bible" (1890), etc.

³ *The Books of Samuel*. By Christian Friedrich David Erdmann; translated, enlarged, and edited by C. H. Toy and J. A. Broadus, 1877.

and practical to Broadus. Erdmann's commentary is an egregiously bad specimen of a bad kind, and made Toy's task peculiarly difficult. The book is translated with scrupulous fidelity, the editor's additions and emendations being interspersed in the text in brackets or appended in notes. In the footnotes to the translations, he records the various readings of the Septuagint and other versions, and frequently those of Hebrew manuscripts, besides many conjectural emendations, chiefly from Thenius, Böttcher, and Wellhausen, with which the German author had not troubled himself. Many grammatical and lexical observations, frequently corrections of Erdmann's lapses, are also added. It was doubtless a useful exercise to have to go over in this minute way the whole critical and exegetical apparatus; but before it was done, the effort to make a worthless book worth something by a kind of supercommentary must have been a weariness of the flesh and vexation of spirit.

In the ripeness of his learning and the fullness of his powers, Toy produced the commentary on Proverbs in the *International Critical Commentary* (1899), and, in the same year, a critical edition of the Hebrew text of Ezekiel, and a new English translation of the same book with notes, both in the series edited by Paul Haupt.¹

Both books were doubtless of his own choosing. The "wisdom" of the Jews had always had a special attraction for him by a kind of affinity of mind and temper with the Hebrew sages; and Ezekiel, one of the keys to the modern understanding of the history of the Jewish religion, had engaged his studies in the earliest period of his life in Cambridge, if not before. In conformity with the diverse plans of the two series, the works have a widely different character, but both in their several ways gave equal opportunity for his peculiar talent; it would be difficult to say whether it appears to better advantage in the selection of essentials and the lucid brevity of exposition in Ezekiel or in the comprehensive erudition of the Proverbs.

In editing the Hebrew text of Ezekiel, Toy had a recent precursor in Cornill, whose radical reconstruction of the text was

¹ *A Critical and Exegetical Commentary on the Book of Proverbs*. New York, 1899. *The Book of the Prophet Ezekiel: Critical Edition of the Hebrew Text, with Notes*. Leipzig, Baltimore, London, 1899. *The Book of the Prophet Ezekiel: a New English Translation, with Explanatory Notes*. Leipzig, Baltimore, London, 1899.

accompanied by an ample—it might almost be said a complete—critical apparatus. Toy undertook a more modest and more practicable task: not an attempt to reconstruct the book as it came from the hands of the author—an effort which could only result, as it did in Cornill's hands, in an uncritical contamination of recensions—but the emendation of the Hebrew standard text in places where it is evidently corrupt, by the aid of the versions or by conjecture. The notes give briefly the occasion for the emendation and the grounds on which it is suggested. The work is done with judicious conservatism. Toy never fell into the error, so common in critics or commentators, of assuming that every text we do not understand must be corrupt; he made reasonable allowance for the defects of our understanding. The translation of the emended text, with the concise explanatory notes that accompany it, serves admirably to make the writings of the obscure prophet intelligible to the English reader; while, taken together with the edition of the Hebrew text and the accompanying critical notes, it is no less valuable to the scholar. In the Proverbs, also, a new translation is given of each group of aphorisms, or of single unconnected distichs, with an exegetical commentary. The larger scale and different purpose of the volume gave room for more extended comment, and in particular called for a fuller discussion of textual and philological problems, as well as for the exhibition of the history of criticism and exegesis, which is very inadequately represented in many recent commentaries. In this part of the work, wide and exact learning and sobriety of judgment are equally notable. Both works stand in the front rank of modern commentaries, and reflect high honor on American biblical scholarship.

In the critical and exegetical class falls also Toy's first important independent work, the volume on *Quotations in the New Testament* (1884). In this volume, following the order of the New Testament books, the quotations from the Old Testament are compared with the Hebrew text and the Greek version, the differences between the Hebrew and the Septuagint and the relation of the New Testament text to both are discussed, and the original meaning of the passage in its Old Testament context as well as the use made of it in the New explained, thus furnishing a kind of double commentary on the

quotations, which may be conveniently consulted on any particular passage. This is, however, not the author's main purpose. He would have his work taken as a methodical investigation of the way in which the Old Testament is interpreted and applied by the writers of the New, the outcome of which is that the latter used the Old Testament after the manner of the Jewish exegesis of their time, and that the peculiarities of their interpretation are chiefly due to their peculiar messianic beliefs. It follows that the New Testament interpretation and application of a passage from the Old Testament cannot determine the true meaning and intent of the latter. The bearing of all this on the assertion, so often and so loudly reiterated in the controversies of those days, that critical and exegetical questions are settled once for all by the authority of Christ and the apostles, is obvious, especially in its application to messianic prophecy and New Testament fulfilment; while behind all lies the infallibility of the Bible and the doctrine of inspiration. On the positive side the quotations, as interpreted by the authors of the New Testament, form, as Toy points out, an important connecting link between the religion of the Old Testament and Christianity.

To account for the cases in which the quotation in the New Testament differs from both the Massoretic text and the Septuagint, Professor Toy resorts to the hypothesis that such quotations are derived from a current Aramaic version. Differing from Böhl, who first elaborated the theory of an Aramaic "Volksbibel" in the time of Christ, Toy believes that the intermediary version was not a written translation, parallel to the Septuagint, but an oral Targum. In neither form did this solution find acceptance among scholars, and the problem itself would now be formulated in a different way. The question what text of the Greek Old Testament the authors of the New Testament had before them in any particular quotation is put aside by the assumption that the Vatican manuscript (B) presents a text "substantially identical with that of the first century"; and practically the comparison is between Westcott and Hort for the New Testament and Tischendorf for the Old. The progress of Septuagint criticism since this volume was published has put this problem also in a different light, and precludes such a convenient simplification.

The History of the Religion of Israel: An Old Testament Primer, was published in 1882 by the Unitarian Sunday School Society as a textbook for Sunday schools. It includes not only the Old Testament history with its continuation down to the Christian era, but a half-dozen lessons on the Talmud and other Jewish literature, the history of the Jews in the Middle Ages, Mendelssohn, and modern reform. For the Old Testament part it is a brief and popular presentation of the views of Kuenen and of his popularizers, Oort and Hooykaas.¹

Most of the scholars who in that decade were finding their way to the new criticism and consequent reconstruction of the history of the Hebrew religion started from substantially the position of Ewald, whence a single, though very radical, step—the transposition of the Book of Origins and the legislation that went with it from the first place to the last in the chronology of the sources—brought them to that of Wellhausen and Kuenen. This does not seem to have been Professor Toy's history; his critical conversion was apparently wrought by Kuenen, and he accepted the views of the new school at once and completely. Perhaps for this reason he took little part in the special investigations which so largely engrossed the labors of Old Testament scholars in that quarter of a century, the revision of the minute analysis of the Law and of the Prophets, and the discussion of the bearing of this analysis on the age of the Pentateuch and of the levitical law in particular; he published nothing of importance in this field.

The chapters in the *Religion of Israel* on Judaism since the beginning of the Christian era bear the marks of perfunctory compilation, and are not up to the author's habitual standard of accuracy. A similar observation might be made on the paragraphs about the Targums in the Introduction to the *Quotations*.² In truth, this period of Judaism never attracted Professor Toy, and neglect of it

¹ Kuenen's *Godsdienst van Israel* (2 vols., 1869–70), appeared in English translation as *The Religion of Israel*, in 1874; a translation of his *Prophets and Prophecy in Israel*, in 1877; a translation of Oort and Hooykaas under the title, *The Bible for Learners* (2 vols.), in 1878–81. The reader may be reminded, also, that Robertson Smith's *Old Testament in the Jewish Church* appeared in 1881; his *Prophets of Israel* in 1882.

² The uncertainty "which of the many Gamaliels" is meant in the story about the Targum of Job (p. xvii), for example, is not due to any ambiguity in the passages of the Talmud that are cited; they are as explicit as could be desired.

is a serious limitation in his otherwise excellent work, *Judaism and Christianity* (1890).

In reading and appraising the latter volume it is essential to keep in mind the subtitle, "A Sketch of the Progress of Thought from the Old Testament to the New Testament," for the main title suggests a comparison of Judaism with Christianity, or a discussion of the relation of early Christianity to contemporary Judaism. The work is systematically arranged, and might be described as a biblical theology of the Old and New Testament, with inclusion of the intermediate apocryphal and pseudepigraphic literature. After a noteworthy introduction on the evolution of religion in general, to which we shall return, and an outline of the literature from Ezra to the end of the first century of the Christian era, the author takes up successively the doctrine of God, subordinate supernatural beings and evil spirits, the constitution of man, sin and righteousness, ethics, the Kingdom of God, and eschatology, concluding with a chapter on the relation of Jesus to Christianity.

The most conspicuous shortcoming of the book is that in the presentation of Judaism at the beginning of the Christian era no account is taken of the teaching of the Palestinian schools and synagogues, which alone is of recognized authority, and is therefore the primary source from which a knowledge of what may be called normal Judaism in that age is to be drawn.¹ The ignoring of these sources is no less serious from the other side, for Jesus and his disciples grew up in the religion of the synagogue; from the lessons that were read and translated in it they had their knowledge of the Scriptures; from the homiletical exposition of the lessons, their understanding of Scripture; its prayers informed and expressed their piety. However much the *eschatology* of the New Testament may be indebted to the apocalypses, the *religious* ideas of the Gospels are not derived from any such turbid sources.

Judaism and Christianity was written thirty years ago, at a time when Christian scholars were plunging into the study of the pseudepigrapha with the enthusiasm of discovery, while critical investigation of the rabbinical literature had made little advance upon the

¹ The few illustrative or comparative references to this literature are made indiscriminately to the "Talmud," and chiefly come from Weber.

pioneer work of Zunz; and students of the New Testament usually went no farther than Weber for their quotations and—what was worse—for their opinions. It would, therefore, not be worth while to dwell on a defect in the treatment of this subject which Professor Toy shared with his times; were it not that, in spite of the progress of criticism in the meantime—a criticism hardly less important in its results than the modern criticism of the Old Testament—Christian scholars for the most part still ignore it, and either neglect the rabbinical sources or use them in an antiquated, uncritical way, while they habitually exaggerate the significance of the apocryphal and apocalyptic writings, not only for Judaism, but for Christianity.¹

Within the limits of the author's conception and plan his task is done with admirable thoroughness, and with the sanity of judgment and transparent clearness of expression which characterize all his work. It may be particularly noted that, notwithstanding the restriction of sources, Toy's estimate of Judaism in New Testament times, and of the effect of "legalism" on Jewish character and Jewish piety, is juster and shows more insight than is common among Christian writers. It does not speak well for the discrimination of American readers that this volume, the fruit of thorough and first-hand studies, made little impression when it appeared and has received little attention since. It is seldom quoted, even by writers whose footnotes resemble—in more ways than one—the bibliography of a doctor's dissertation, and bristle with the titles of books of warmed-over learning.

The Introduction prefixed to *Judaism and Christianity* is on the "General Laws of the Advance from National to Universal Religions." It is, in fact, a sketch, under this particular point of view,² of the evolution of religion, considered as determined by certain general laws. Laws of historical development were more heard of thirty years ago than they are now, or, at least, scholars had more confidence in their ability to discover such laws; and this Introduction—partly, perhaps, from its brevity—has a touch of the doctrinaire quality which historians frequently assumed when they

¹ Bousset's *Religion des Judéens* and the many volumes of R. H. Charles are modern examples.

² Obviously suggested by Kuenen's *Hibbert Lectures* (1882).

were bound that history should be a science. But if we look beyond these formalities and regard it as a schematic outline of the history of religion, it shows large knowledge of the facts and remarkable grasp of their significance. It contains, we may say, a prophecy of Professor Toy's latest and ripest contribution to a subject in which he had long been deeply interested, his *Introduction to the History of Religions*.¹

The aim and scope of the last-named work are thus set forth by the author in the brief preface: "The object of this volume is to describe the principal customs and ideas that underlie all public religion; the details are selected from a large mass of material, which is increasing in bulk year by year. References to the higher religions are introduced for the purpose of illustrating lines of progress." It is, therefore, in its primary intent an analytical description of religious phenomena, in a wide sense of the adjective. The phenomena are, however, not merely recorded but interpreted and theories of their origin and purport discussed. The survey of the phenomena is very broad—from animism to the higher theistic religions; the evidence and illustrations, drawn from a wide range of sources, are selected not alone for their relevancy but for their trustworthiness; where the testimony is conflicting, it is impartially presented. The author has no universal theory of the origin or development of religion to sustain; his aim is to ascertain and present the facts, not to make them prove a thesis. For this reason his discussion of the theories of others, general or particular, is notably judicial—a dispassionate weighing of the evidence and analysis of the argument, which, as might be expected, more often than otherwise results in a *non liquet*. A good example of the application of an orderly mind to a tangled subject is the chapter on "Totemism and Taboo," in which the author has to deal not only with the heterogeneous aggregate of phenomena in all quarters of the world which have by somebody been labeled "totemism," but with the attempts to extract from this miscellaneous mass the "essence of totemism," for which every investigator seems to have a different definition, together with

¹ Earlier studies in this field are represented by several articles in the *Journal of the American Oriental Society*: "Taboo and Morality" (1899); "Relation between Magic and Religion"; "Creator Gods"; "Recent Discussions of Totemism"; "An Early Form of Animal Sacrifice" (1905).

a review of the theories of the origin of totemism, and more extravagant theories of the totemistic origin of civilization as well as religion.

Professor Toy's work is one of a series of "Handbooks on the History of Religions," and is in plan and execution essentially a student's book; but any serious reader who wishes a clear and comprehensive exhibition of the facts and a judicious discussion of current theories will find what he wants in this volume.

The qualities of Professor Toy's mind and character are manifest in all his work. He had a native scientific bent which gave him a reverence for facts and held him to patient and painstaking endeavor to ascertain and verify them and to state them exactly as they are. His judgment was formed deliberately on an unprejudiced consideration of all the evidence. Well aware that in historical matter the utmost that is attainable is often no more than a higher or lower degree of probability, he tried to take the measure of this probability and to convey to his readers a corresponding impression. When the evidence was insufficient, and among many possibilities there was no preponderant probability, suspense of judgment seemed to him the only attitude a scientific conscience could approve. But he did not suffer from that infirmity of mind wherein much learning has made everything uncertain. In matters that appeared to him to be determinable he had positive opinions, clearly defined and firmly held, but without controversial zeal. He was not pledged to swear by the words of any master, nor concerned to frame to pronounce right the shibboleths of any school.

There is a current imagination that a scholar who has attained eminence in a field of research remote from popular interest—a "specialist," as he is called—is a man who knows so much about one small subject that is not worth knowing that he knows nothing at all about the great world of men and things. If there are such learned fools, Professor Toy was not one of them. He had a liberal education in the broadening atmosphere of the University of Virginia, and the habits of mind thus formed remained with him through life. He was a man of wide and varied reading in many literatures, of cultivated taste in letters, art, and music, and of large information on subjects remote enough from his professional studies. He had

the insight into character and the broad sympathies of one who has lived among men of many kinds and under widely different conditions. In practical affairs his wisdom and tact were highly prized by his associates.

Professor Toy was a genial soul; the charm of his gentle dignity and graciousness of manner was irresistible. His friendships were not the less warm because they were undemonstrative. He was generous in his appreciation of others' work, more prompt to praise than to find fault, even where censure was well deserved. The minute prepared for the records of the Faculty of Arts and Sciences by members of the Faculty who had been his pupils and his friends concludes with this true and fitting tribute:

He seemed altogether unconscious of his own greatness. With all his learning and honors he was at heart as simple and guileless as a child. He belongs in the class of the sages of olden time. He followed after wisdom, and received the fulfilment of her promise,

"Length of days, and years of life, and peace."

Professor Toy was one of the last survivors of the storm-and-stress period of Old Testament criticism in this country. His career as a teacher filled the years from the first rumors of the new criticism to a time when its revolutionary theories have become critical orthodoxy, and the ensuing historical reconstruction is taught in schoolbooks. Only those who have been through it all can fully realize the change that forty years have made in the attitude of a large and leading part of Protestant Christendom to the Bible—a historical apprehension superseding the traditional dogmatic conception—and how it came about. To this result Professor Toy contributed much, and in it he would, I think, have seen the best reward of his labors.

THE GAP BETWEEN EZRA, CHAPTERS 1 AND 2

BY JULIUS A. BEWER

Union Theological Seminary, New York

The gap between the first and second chapters of Ezra appears to have been noticed first by Ewald.¹ Later Bertheau² maintained that I Esdras 5:1-6 was originally composed in Hebrew and that it contained the part of the Chronicler's narrative that is missing between Ezra 1 and 2. This necessitated the emendation of "Darius" to "Cyrus" in 5:2, and the omission of vs. 5 and of the reference to Darius in vs. 6. Torrey³ followed this clue and elaborated it. He found more of the missing section in the conclusion of the preceding chapter. The Story of the Three Youths, according to him, ended originally at 4:42. In 4:43-5:6 an interpolator connected this story with the Chronicler's story of the Return from Babylon. Torrey recovered the Chronicler's part by omitting the passages referring to the youth as interpolary links, 4:43-47a, 58-61; 5:6 (the phrase "who spoke wise words before"), and by changing the rest to fit into the Ezra story by emending "Darius" into "Cyrus" in 4:47; 5:2, 6, and by omitting 4:57. "The original narrative passed directly on from 2:14 (=Ezra 1:11) to 4:47, which began thus: '[And Cyrus the King] wrote letters for him [i.e., for Sheshbazzar] unto all the administrators and governors,' etc. Then, after the section 4:47-56, there followed immediately 4:62-5:6, and then 5:7 ff. (=Ezra 2:1 ff.). There is no reason to doubt that the history, as thus restored, is complete and in the very same form which its author gave it" (p. 28). Torrey claimed to have restored "a lost half-chapter to our 'canonical' Old Testament—a thing which has never been done before, and presumably will never be done again" (p. 30). And indeed, if this can be maintained, it is one of the most significant achievements of textual criticism.⁴

¹ *Geschichte des Volkes Israel*, IV, 111.

² *Die Bücher Esra, Nehemia und Ester*, 2d ed. by Ryssel (1887), pp. 12 f.

³ *Ezra Studies*, 1910.

⁴ Besides Edm. Bayer, "Das dritte Buch Esdras und sein Verhältnis zu den Büchern Esra-Nehemia," in Bardenhever's *Biblische Studien*, XVI (1911), and

If Torrey is right in emending the text so as to read *and Cyrus the King* at the beginning (I Esd. 4:47), the letters of Cyrus were delivered to Sheshbazzar, the prince of Judah. Strangely enough, in the Chronicler's own story¹ Sheshbazzar is not mentioned again. In I Esd. 5:8 (= Ezra 2:2) *Zerubbabel* is all of a sudden named as the leader of the returning exiles and he retains this position ever after. If we read the story consecutively, should we not expect the list in 5:4 f. to contain the names of those that went up with *Sheshbazzar* rather than with *Zerubbabel*? In other words, unless we identify Sheshbazzar and Zerubbabel, which was done already by the ancient Greek translator in I Esd. 6:17 (= Ezra 5:14), must we not assume that there is still a gap before Ezra 2? Torrey would not admit this. He does not identify the two. He denies that Zerubbabel ever was governor of Judea; he was simply "the recognized leader of the people." Thus there is no incongruity in his being mentioned as the leader of the exiles who returned home under Sheshbazzar the governor. Torrey's argument for this is, however, untenable. From the Greek of Hag. 1:1, 14; 2:2, 21 he concludes "that the words פָּחַת יְהוּדָה are a later interpolation in the Hebrew" (p. 306, note). But the Greek has ἐκ φύλης Ἰουδα = מִשְׁפַּחַת יְהוּדָה, which, even in its corruption, witnesses to פָּחַת יְהוּדָה. That the Greek cannot contain the original reading is manifest from the context and from the simple question what its significance could be in this place and in this age.² If Sheshbazzar and Zerubbabel were not identical, and if both were governors, Sheshbazzar first, Zerubbabel after him, the gap between Ezra 1 and 2 is not completely filled by Torrey's reconstruction.

But even aside from this, Ezra 2:1 (= I Esd. 5:7) cannot have been the direct continuation of I Esd. 5:1-6. In I Esd. 5:4 a list is promised, of which 5:5a forms the beginning. This list is different

S. A. Cook, "I Esdras," in Charles, *Apocrypha and Pseudepigrapha of the Old Testament*, I (1913), only L. W. Batten, "The Books of Ezra and Nehemiah," in *The International Critical Commentary*, 1913, has published a serious treatment of Torrey's hypothesis, as far as I know. Batten declares, "I believe, therefore, that Torrey's main premise is correct and that we have here a genuine section of the O. T.; but it has nothing to do with c. 1, though it is a necessary introduction to c. 3" (p. 104).

¹ Ezra 5:14, 16 belongs to the Aramaic source.

² It may not be without interest that פָּחַת was wrongly translated by the Greek in Neh. 5:14b, 15, 18, as Torrey himself has shown (p. 76). In Neh. 12:26 it was omitted. In Neh. 3:7 the entire verse is omitted.

from 5:9 ff. (=Ezra 2:2 ff.). It was arranged on a different principle; not the laymen as in 5:9 ff., but the priests, were mentioned first. Now in this list of priests there are in our present text only two names, Joshua and Joiakim (cf. Neh. 12:10). The list is evidently fragmentary. Even if the two priests were the only priests that the original list contained, it would still be fragmentary, for 5:4 had promised the names not only of the priests but of "the men who went up according to their families, in their tribes, by their divisions." That there was originally in I Esdras another, different list, which is now omitted because of the list in 5:7 ff., appears manifest.

I Esd. 5:5b, 6 mentions Zerubbabel also. But the way in which he is introduced cannot possibly be original. Joiakim the priest, whom we know from Neh. 12:10 to have been the son of Joshua the priest, is here spoken of as the son of Zerubbabel, ὁ τοῦ Ζερουβαβέλ. Torrey recognizes the impossibility of this text and explains it as due to the Greek translator's misreading of the Hebrew original *וַיָּקִים בִּן יִיִּקִּים* instead of *וַיָּקִים בִּן יִיִּקִּים* and *there rose up with him Zerubbabel*, etc., and he corrects the text accordingly. Aside from the most improbable *בִּן*, which cannot well be substantiated by the apparently corrupt II Chron. 22:1, Torrey has mutilated the preceding verse. There we are promised a list of *priests* (plural), but if this emendation is made there is only one single priest, and the name Joiakim, which is most appropriate here (cf. Neh. 12:10), is changed to *and there rose up with him*. This shows the impossibility of *בִּן* *with him* also from the material side. *With him* could only mean with Joshua, but, in the original, Joshua did not immediately precede Zerubbabel. Moreover, the sentence *and there rose up with him Zerubbabel*, etc., is not complete. Simply to say that they rose up, without indicating what they rose up for, is not enough. Even if we accepted, therefore, Torrey's emendation *in toto*, we should have to admit that there is a gap immediately before *וַיָּקִים* and another immediately after vs. 6, and that his assertion, "There is no reason to doubt that the history, as thus restored, is complete and in the very same form which its author gave it," is too sweeping. For it is not complete nor in the very same form which its author gave it.

Nor has it been proved that the Chronicler was the author. Bertheau had maintained this for I Esd. 5:1-6, but Torrey observed that I Esd. 4:62 f. "cannot have formed the end of a piece of narrative" (p. 22), and that 5:1-6 is its direct continuation. He regards therefore I Esd. 4:47b-56, 62, 63; 5:1-6 as the original piece of the Chronicler's story which is missing in our present Hebrew text. It is at once evident that, if I Esd. 5:4-6 was an original part of the Chronicler, I Esd. 5:7 ff. (= Ezra 2:1 ff.) cannot have been its direct continuation. Either I Esd. 5:4-6 or 5:7 ff. (= Ezra 2:1 ff.) was an original part of the Chronicler's narrative, but not both. If I Esd. 5:4-6 was composed by the Chronicler, a complete list must have been given by him as is indicated by 5:4. Who cut out this list? Certainly not the Chronicler, for he would not mutilate his own work. Moreover, if I Esd. 5:4-6 was composed by the Chronicler, its continuation would not be in 5:7 but in 5:47 (= Ezra 3:2), although there would be also a gap between 5:6 and 5:47.¹ If, on the other hand, the Chronicler is responsible for the composition or insertion of the list in I Esd. 5:7 ff. (= Ezra 2), the list in I Esd. 5:4-6 cannot come from him. Since I Esd. 5:47 (= Ezra 3:2) presupposes the date which is given in I Esd. 5:46 (= Ezra 3:1), "the first day of the seventh month"² and is part of the insertion of Neh. 7:73b, it certainly looks as if the Chronicler were responsible for inserting the list of I Esd. 5:7-46 (= Ezra 2:1-3:1) at this point, and not somebody else.

It is quite true that the phraseology of the section is similar to that of the Chronicler; and the manner in which the list was composed, the priests first, then the Levites, finally the laymen, is quite in line with his interest. But linguistic affinity of two passages is to be recognized only when the characteristic elements appear in both. This however is not the case here. Torrey points to the "disproportionate interest in 'the priests and the Levites'

¹ 5:4 And these are the names of the men that went up, according to their families among their tribes after their several divisions:

5:5a The priests, the sons of Phineas the son of Aaron: Joshua the son of Jozedek, the son of Seraia, and Joiakim the son of (The rest of the list is missing.)

5:5b Zerubbabel the son of Shealtiel, of the house of David, of the kindred of Phares, of the tribe of Judah, [who spoke wise sentences before] Darius the king of Persia in the second year of his reign, in the month Nisan, on the first day of the month (The story of the arrival is missing.)

² Cf. also I Esd. 5:52b (= Ezra 3:7).

(vss. 52-56) and in 'instruments of music' (4:63; 5:2)" as characteristic and convincing marks of the Chronicler's authorship. "These are the pet interests of the Chronicler himself; his peculiar property, in fact" (p. 27). That the interest in the priests and the Levites is "disproportionate" in this section which gives directions about the restoration of the temple, its sacrificial system, and its clergy is not at all clear. If the singers and musicians, pet interests of the Chronicler, had been singled out too, it would be different. But not even the instruments of music, which are mentioned in I Esd. 5:2, are at all characteristic of the Chronicler. The phrase *καὶ μετὰ μουσικῶν τυμπανῶν καὶ αὐλῶν* (*καὶ*) πάντες οἱ ἀδελφοὶ αὐτῶν παίζοντες corresponds to the Hebrew בְּשִׁירִים וּבְתוֹפִים, and the striking parallel in Gen. 31:27 shows that it was simply a transcript of Hebrew life in all ages of the Old Testament. We have here no sacred music in which the Chronicler was interested, but secular music and singing and feasting. The musical instruments are not those that the Chronicler is especially fond of.¹ *Αὐλός* = חֲלִיל is never used by the Chronicler; but note the combination *τὴν αὐλὴν* in I Sam. 10:5; Isa. 5:12. *Τύμπανον* = תֶּבֶל is used by the Chronicler only once, I Chron. 13:8, and there it is taken from II Sam. 6:5. And בְּשִׁירִים, which does not mean musical instruments, is used only once by the Chronicler in I Chron. 13:8, where the better reading of II Sam. 6:5 is preserved.² The phrase in 4:63 *μετὰ μουσικῶν καὶ χαρᾶς* = וּבְשִׂמְחָה וּבְשִׁירִים is not characteristic of the Chronicler either.³ It occurs already in the before-mentioned Gen. 31:27, וּבְשִׂמְחָה וּבְשִׁירִים. And *ἐκωθωνίζοντο* shows the character of the rejoicing, for it would correspond, not to רִישְׁמָה, as Torrey thinks, but to רִישְׁתִּי; cf. Esther 3:15.

So far from exhibiting really characteristic linguistic phenomena of the Chronicler, the section contains some phraseological peculiarities that argue against the Chronicler's authorship. The Chronicler

¹ Note, however, Gen. 31:27; Exod. 15:20; Judg. 11:34; I Sam. 18:6; II Sam. 6:5; Isa. 5:12; I Sam. 10:5.

² In Esd. 5:57 ἀπολαύοντες μετὰ μουσικῶν καὶ εὐαγγέλιον the translator read בְּשִׁירִים through a doublet of the preceding מְלָכִים, but this is clearly a mistake.

³ Torrey translates it וּבְשִׂמְחָה, although in the passages he refers to for this combination, Neh. 12:27, II Chron. 23:18, "with rejoicing" is בְּשִׂמְחָה, the same term as in the old story of Gen. 31:27.

never writes simply "Cyrus" or "Darius" without further designation. But I Esd. 5:2 has simply "Darius."¹ This usage is paralleled in the Aramaic source, Ezra 5:5; 6:12, 14, but not in the Chronicler.² It is true that in I Esd. 5:6 we find Darius, *King of Persia*, which is said to be "a well known mark of the Chronicler's hand." But it cannot be altogether characteristic of the Chronicler, for it was used also by the Aramaic source, Ezra 4:24; 6:14, and by Dan. 10:1.

And moreover it is just in this verse that another indication occurs which makes against the Chronicler's authorship. It is certainly striking that he never uses the names of the months for his dates, he always counts them; he says "the first month," not "the month of Nisan," etc.; see Ezra 3:1,6,8; 6:19; 7:8; Neh. 7:73; 8:2, 14; 9:1.³ The Aramaic document (Ezra 6:15) and Nehemiah's memoirs (Neh. 1:1; 2:1; 6:15) use the foreign names of the months. It is not asserted here that the Chronicler might not have used either form. It is simply pointed out that he nowhere else does use the names of the months in his own composition. And this seems to argue against his authorship of this date in I Esd. 5:6.

Since the Chronicler wrote his history in Hebrew, the original of the section which Torrey attributes to him must, of course, have been in Hebrew too. And Torrey, quite consistently, maintains this, although he has "not been able to find any decisive proof" for it (p. 29). He has proved, I think, conclusively that the Story of the Three Youths was originally written in Aramaic. The last sure sign of Aramaic he finds in *rore* of vs. 47. "Beyond this point, the language *seems to me* everywhere to *suggest* Hebrew rather than Aramaic, though I have not been able to find any decisive proof. I therefore *believe* that the interpolator's Aramaic continued as far as the first words of the Chronicler's narrative, and that everything after this was Hebrew, including vvs. 57-61" (p. 29) (*italics are mine*). Let it be noted that for Torrey's theory it is absolutely essential that these verses should have been written in Hebrew. But more than assertion based on "*seems to me to suggest*" and "*I believe*"

¹ "Cyrus" is mentioned without further title in I Esd. 4:44, 57 (twice).

² In this he is like Haggai and Zechariah, who always count the months. In Zech. 1:7; 7:1 there is now the addition to the eleventh month, *that is the month Shebat*, 1:7, and to the ninth month, *in Kislev*, 7:1, but this has been recognized as later.

is needed for so far-reaching a conclusion. From Torrey's demonstration that the Story of the Three Youths was originally written in Aramaic there would most naturally follow that the whole of it, I Esd. 3:1—5:6, was written in Aramaic. And this is made all the more probable by the observation that the material of the alleged Chronicler section in I Esd. 4:47b ff. is so closely parallel to the Aramaic edicts of Darius in Ezra 6, and of Artaxerxes in Ezra 7, that even a casual comparison shows this; and the "interpolations" are so parallel to the Aramaic section of Daniel that not only the prayer in I Esd. 4:60 but also its introduction with the unusual term "the King of heaven" (vs. 59b, also vs. 46), which occurs elsewhere in the Old Testament only in Dan. 4:34, almost seems to have been taken from Dan. 2:19, 20, 23.¹

Torrey believes that the Story of the Three Youths in its original form ended with vs. 42 "and in just this way." But if it did end there originally, it can hardly have ended "in just this way," because the King had said in vs. 42, "Ask what thou wilt, *above what was prescribed*, and we will give it thee, since thou art proved wisest." This is not "merely a picturesque oriental flourish." It points forward and introduces Zerubbabel's request. Torrey's position would gain if he regarded the first part of the King's speech, as far as "wisest," as part of the interpolation.

But can it really be proved that I Esd. 4:43—5:6 is of composite authorship? According to Torrey, I Esd. 4:43—5:6 consisted of the Chronicler's section, in Hebrew originally, 4:47b-56, 62, 63; 5:1-6, and of the patches of the interpolator who connected the Story of the Three Youths with the Ezra-history, 4:43-47a, 57-61. Of these 4:43-46 was written in Aramaic, 4:57-61 in Hebrew. His "plain evidence of composition" is found especially in 5:6, where "a harmonistic gloss has been added to the original text."² After boldly substituting Cyrus for Darius in 4:47; 5:2, 6, and omitting the whole of 4:57, in order to conform the section to his hypothesis, Torrey gets, as Bertheau had before, in 5:6 the Chronicler's date of the return from Babylon: "in the second year of the reign of Cyrus, the King of Persia, in the month Nisan, on the first day of the month." We have already seen that it is not likely that this was

¹ Compare also *ἡ σοφία* 'Isouσαλῆμ with Dan. 6:11 (Aramaic) נְגִד יְרוּשָׁלַם.

² *Who spoke wise words before.*

the *Chronicler's* date. And the fragmentary character of I Esd. 5:6 makes any guess as to its original form hazardous. If the writer took over the Story of the Three Youths and used it in order to show how Zerubbabel won the king's consent to restore the Temple, it is by no means impossible that he himself identified the successful youth here at the end of the story, as he had done before quite incidentally in 4:13. And while to us it may seem strange that he should have added here the date on which Zerubbabel won the royal promise, it may have seemed to him quite natural. Why should it be "difficult to imagine a reason for filling in *any place* the day of the month on which Zerubbabel made his successful speech"? It was New Year's Day, and New Year's Day was a favorite day for such events. On New Year's Day Zerubbabel won Darius' consent for the rebuilding of the Temple, and on New Year's Day Nehemiah won Artaxerxes' consent for the rebuilding of the city walls, Neh. 2:1. And, by the way, I Esd. 4:47, 48 are quite similar to Neh. 2:7-9!

Of direct proof for the "plain evidence of composition" in 4:43 ff. Torrey adduces almost nothing. He says, "the way in which it is simply taken for granted in vs. 47, that 'he' and 'those with him' are going up to people Jerusalem, is one of the most satisfactory bits of incidental evidence that the juncture of the patch with the main narrative—the continuation of Ezra 1:1-11—comes at just this point. Verses 47 ff. cannot possibly be regarded as the sequel of 43-46" (p. 58). Why not "possibly"? We must not forget that the writer who used the Story of the Three Youths had identified the victorious youth with Zerubbabel (4:13). With that interpretation in mind, was there any need of stating explicitly that the young man wanted to be appointed for the task of restoring the Temple, and that "those with him" wanted to go back "to people Jerusalem"? Was it not enough that the king wrote letters for him? Is it quite true to say that no "formal permission" was given to the Jews, in view of vss. 47-55? Were it not that Torrey had to look for some place where his Hebrew document might begin, he would never have thought of challenging the extremely good and close connection of vss. 43-46 with vss. 47 ff. There is as little evidence of two different hands in 43-46 and 47 ff. as there is of two different languages, Aramaic (in vss. 43-46) and Hebrew (in vss. 57-61).

For the assertion that vss. 57-61 come from a different hand than vss. 47-56 and vss. 62 ff. no proof whatever is adduced. If we omit vss. 57-61 there is a gap between vs. 56 and vs. 62, which Torrey indeed notes and tries to bridge by a *conjectural* insertion of כַּל-הַיָּמִים in vs. 62.

It is quite true that we miss the date of the Return from Exile in the history of the Chronicler, and that Ezra 3:1 "presupposes a definite date in the preceding narrative"; and it is also true that the clause in Ezra 3:7, "according to the grant which they had from Cyrus, King of Persia," presupposes a royal order in the preceding story which is not preserved in the Hebrew text. But these observations prove no more than that there was actually a gap in the story after Ezra 1, and that is not denied here.¹ Josephus noticed this gap too, and filled it up quite characteristically—and quite similarly to the writer of the Story of the Three Youths.² After telling the story of Ezra 1 he says, "Cyrus also sent an epistle to the governors in Syria, reading as follows." Then he composes a letter by taking his material, aside from Ezra 1, from the edict of Darius in Ezra 6, just as in his own, different fashion our apocryphal writer had done! Nobody thinks that Josephus has preserved here an original section of the Chronicler, and yet with him it would not even be necessary to change Darius to Cyrus!

The gap between Ezra, chapters 1 and 2, is still there. Torrey, to my mind, has not succeeded in recovering the missing portion of the Chronicler's history.

¹ There are those that deny this. But they cannot do justice to Ezra 3:1 and 3:7.

² *Antiquities* xi. 1. 3.

POSSIBLE BABYLONIAN CONTRIBUTIONS TO THE SO-CALLED PHOENICIAN ALPHABET

By D. D. LUCKENBILL
University of Chicago

Although recent excavations in the Near East have compelled us to make almost daily readjustments in our views on the development of ancient history, nevertheless the tradition, mentioned by Herodotus (Book v. 58) and other classical writers, that the Greeks (Ionians) adopted for their writing the letters of the Phoenicians, seems to maintain an unshaken hold on the credence of scholars. And rightly so: for the Semitic names of the Greek letters would in themselves be the strongest evidence of an Asiatic origin of the European alphabet, even if we did not have the proof positive in the archaic forms of the letters of the early Greek and Phoenician (North Semitic) inscriptions which have survived to our own day. But the moment we raise the question of the origin of the Phoenician alphabet we are confronted by the widest divergence of opinion. "The prevalent theory, universally accepted till a few years ago, was that of Viscomte Emmanuel de Rougé, first propounded to the Académie des Inscriptions in 1859, but unnoticed by the world at large till republished, after de Rougé's death, by his son in 1874. According to this view the alphabet was borrowed by the Phoenicians from the cursive (hieratic) form of Egyptian hieroglyphics."¹ This theory was popularized and disseminated throughout the English-speaking world by two volumes, entitled *The Alphabet*, by Canon Isaac Taylor, published in 1883.² It received even wider publicity through the same writer's presentation of it in Hastings' *Dictionary of the Bible* (art. "Alphabet"). But today even an Egyptologist is ready to admit that it "enjoyed a wholly undeserved popularity."³

It is not the purpose of this article to pass in review the onslaughts which have been made on the theory of de Rougé, much less to defend

¹ *Encyclopaedia Britannica*, eleventh ed., art. "Alphabet." For other theories, see Gardiner's article mentioned below.

² Second, practically unchanged edition, appeared 1899.

³ Gardiner: see following note.

the rival theories put forth by the Assyriologists, but rather to point out a number of things which I believe have unwisely been lost sight of in recent discussions of the problem. All who have given the matter serious attention realize that the relevant facts at our disposal are exceedingly limited in number, and, from the nature of the case, that number is not likely to be increased materially in the future. Indeed, the history of the alphabet bids fair to continue to be a scintillating piece of work, if, as has been maintained recently, "ignorance is the first requisite of the historian."

Three studies¹ by as many Egyptologists have, I believe, brought about a decided advance in our knowledge of the history of the Phoenician alphabet and have done much to rehabilitate the claim that it is of Egyptian origin. While I find myself in agreement in the main with the conclusions arrived at in these studies, I also find myself increasingly dissatisfied with some of the arguments on which these conclusions were based. As already hinted, I have no intention of attempting to derive the Phoenician alphabet from the cuneiform characters. But we know that the cuneiform writing was in use in Canaan perhaps for close to half a millennium before the Phoenician script displaced it. Now it would be strange indeed if this old system of writing had disappeared without leaving any traces behind it.

As the title of his article indicates, Schäfer's argument rests wholly on the vowelless character of the Phoenician alphabet. This is likewise one of Gardiner's chief points. Let me quote first from the latter:¹

Thirdly, the alphabetic and non-vocalic character of the writing is of great importance. The Babylonian and Mediterranean (e.g., Cypriote) scripts, so far as they are known, were syllabic and non-alphabetic, and the proto-Semitic script, if derived from any of them, might therefore have been expected to follow suit. The Egyptian hieroglyphic system eschews vowels, and comprises a full alphabet of consonants besides its biliteral and triliteral signs. The omission of the vowels in Egyptian was undoubtedly due in part to the special nature of the language, and the Semitic languages are very

¹ "Die Vokallösigkeit des phönizischen Alphabets," in *Zeitschrift für die Ägyptische Sprache*, LII (1915), 95 f., by Heinrich Schäfer. "The Egyptian Origin of the Semitic Alphabet," in the *Journal of Egyptian Archaeology* (III [1916], 1 f.), by Alan H. Gardiner. "The Physical Processes of Writing in the Early Orient and Their Relation to the Origin of the Alphabet," in *AJSL*, XXXII (1916), 230 f., by James H. Breasted.

similar; still, there was another important reason that was operative in the case of Egypt, namely the particular manner in which it derived its phonetic signs out of its ideographic writing.¹

Schäfer put the same argument into a series of brief propositions which I shall condense still more, retaining, however, the numbering of his paragraphs: (1) The Semitic (Phoenician) alphabet is vowelless. The fact that at any early stage the letters *𐤀 𐤁* were used to indicate vowels does not speak against the non-vocalic character of the alphabet, but, on the contrary, in its favor. (2) In the Semitic languages the consonants are the bearers of the idea, the word-stem, while the vowels serve to differentiate the parts of speech and to indicate their grammatical relationships. (3) In the non-vocalic character of his creation, the "inventor" of the Phoenician alphabet gives evidence of having reckoned "in genialer Weise" with the peculiar genius of the Semitic tongues. (4) But no one would invent an alphabet to write general ideas such as would be expressed by the vowelless *𐤀* (=general idea of killing); he would want it for writing words like *𐤀𐤕𐤁𐤀* (killing) and *𐤀𐤕𐤁𐤀* (killed). (5) A non-vocalic alphabet is decidedly defective. Hardly any alphabet derived from the Phoenician but felt the necessity of correcting this defect. If the "inventor" did not feel this it was because of the influence of something already in existence. We must presuppose a prealphabetic stage in the development of a system of writing. (6) This is picture-writing. Here vowels might be neglected and ideas expressed. (7) But the language which did this must have had the genius of the Semitic tongues. A non-Semitic people could not have arrived at a vowelless script. (8 f.) We know of no picture-writing stage in the history of the Phoenician alphabet. Therefore we must look beyond Phoenicia. We find it in Egypt.

Schäfer takes up the Babylonian-Assyrian script and remarks that, while it began in picture-writing, it was invented and developed by the non-Semitic Sumerians. The development went in a different direction from that of the Egyptian writing, namely, to syllabic writing in which the vowels are an essential part. The Semites who borrowed this script never thought of discarding the vowels.

Now the idea that a consonantal alphabet is peculiarly adapted to the writing of Semitic languages is an old and a persistent one.

¹ *Op. cit.*, p. 12.

Just when it originated I do not know. No doubt it goes back to the time when this writing was first compared with European writing. I find it in Fr. Müller's *Grundriss der Sprachwissenschaft*.¹ It is the kind of thing Renan could speculate about so brilliantly. Schäfer admits that a non-vocalic alphabet is defective, and is sure that a non-Semitic people could not have invented or developed one. But why could not people who say and write 'man,' 'men'; 'run,' 'ran'; 'sink,' 'sank,' and 'sunk' have developed just such an alphabet, had they not been able to take over one all ready-made containing vowels as well as consonants? For just herein lies perhaps the chief peculiarity of the Semitic languages, that in them more largely than in any other group of languages inflection is accomplished by means of *internal vowel change*.² A picture of a pair of legs in motion, with or without the consonants *r* and *n* added as phonetic complements, the whole surrounded by various combinations of prefixes and suffixes, would do just as well to express the English words 'run,' 'runs,' 'running,' 'runner,' 'ran,' 'he runs,' 'he ran,' etc., as to express similar ideas in the Egyptian or Semitic languages. And surely it is conceivable that the non-Semitic Sumerians might have developed biconsonantal and triconsonantal signs as easily as did the Egyptians. For example, we find one of their signs, originally a picture, having the values *gar*, *gir*, and *gur* (Semitic, *gar*, *gir*, *gur*); another with the values *dub*, *dab*, *tub*, *dig*, *sumug*, *samag*, etc. Examples could be multiplied indefinitely. When the first-mentioned sign came to have the values *gar*, *gir*, and *gur*, it ceased to represent a vocalized syllable and became a biconsonantal sign. According to the late Babylonian scribes, whose knowledge of the Sumerian may have been defective, the *na*-sign had the values *na*, *ni* and *nu* in the Sumerian (*Chicago Syllabary*, 102 f.). Now I am sure that the Sumerians would have had no more difficulty in reading their writing, if it had expressed the consonants only, than had the ancient Egyptians, for we have ample evidence from the early and late texts that the vowels were a very unstable part of their syllabic signs. The Sumerian was what we may perhaps best describe as an agglutinative

¹ Bd. I, pp. 171 f.

² By this statement I am not denying the truth of the first part of Schäfer's second proposition, but merely stressing what I believe to be the more important matter.

language. Like the Turkish and the Hungarian it was characterized by the principle of vowel harmony and very probably, like the Chinese, made use of tones.¹ It developed vowel signs² alongside of its syllabic signs. But even then their script, as is the case with any script, only imperfectly reproduced the spoken word. The Sumerians probably realized this. If the Semites ever really did think that they could get along with a system of writing which made no provision whatever for the expression of vowel sounds, must we assume that this was done because of the genius of their language? May it not have been due to the fact that they were not as exacting and discriminating—to use two modern advertising terms—in their tastes as were the Sumerians? May it not be that they came by their alphabet at a time when they had not much that mattered to put into written form? But such theorizing—like much of Schäfer's—leads nowhere. We might just as well speculate as to why the crow grew *black* feathers.³

There are, however, reasons for my dwelling upon these matters at some length. Both Schäfer and Gardiner seem to think that there was a great difference in the lines along which the Egyptian and cuneiform systems developed. The former is sure that the vowels were a very important part of the syllabic signs, the latter speaks of the "peculiar manner in which it [the Egyptian] derived its phonetic signs out of the ideographic writing."⁴ We have seen that even in the Sumerian (pre-Semitic) period of the cuneiform the vowels were by no means so well looked after as Schäfer supposes, and anyone acquainted with the Assyrian knows that frequently final vowels, though apparently written, were in reality dropped. One example will suffice: the oft-occurring *mandattašu kabittu*. If the final vowel of the adjective (*kabittu*) had been pronounced it would certainly have been written *a* instead of *u* so as to bring the

¹ Prince has rightly stressed these points.

² One might say that the "alphabet" the Sumerians developed was purely vocalic. But see the following.

³ For years I have been making it a practice to read a few chapters from Wundt's volumes on language ("Die Sprache") in his *Völkerpsychologie* whenever I have occasion to peruse anything from the hands of our Semitic philologists. It is an excellent antidote. The Indo-European philologists are perhaps too skeptical, but this is better than the it-must-be-so attitude of the Semitists.

⁴ See above.

adjective into agreement with its noun in case. In spite of Gardiner's remarks to the contrary, the Persian cuneiform is the logical outcome of the process, already begun in the earliest period, whereby syllabic writing tends to develop into alphabetic.¹ The only difference between the Egyptian and the cuneiform that I have been able to discover is the fact that the former reached the alphabetic stage earlier. But then we must remember that the Egyptians never took full advantage of the alphabet they developed. There probably were a variety of reasons for this.

But there is a more pressing reason for my pushing this matter. No doubt both of the scholars whom I have been quoting would insist that the point of their argument lies in the fact that the Egyptian system developed consonantal letters only, whereas the cuneiform developed signs for its vowels but no purely consonantal signs. Without trying to settle the family disputes of the Egyptologists, I merely take advantage of this opportunity to remind them that the matter of the purely non-vocalic character of the hieroglyphic writing has been questioned by some of their own household.² But even if we grant that there is no doubt in the case of the Egyptian writing, how does Schäfer know that the Phoenician alphabet was originally vowelless? Is the use of אָדָרִי to indicate vowels proof of this? Is there any evidence that these letters were not thus used from the start? If there is, it ought to be produced.

Let us turn to the North Semitic inscriptions. Speaking of the language of the Moabite Stone, Cooke says: "The scriptio defectiva is the rule, e.g., לִא is used for the 3rd sing. mas. pronoun, though consonants are employed for the final vowels, e.g. אִבִּי, לִפְנֵי, בִּי, בָּה, and in דִּיבִּי, דִּיבִּי; the suffix of the 3rd sing. mas. is הָ for 'ִי."³ And of the language of the Siloam Inscription: "It will be noticed that the final vowels are represented by consonants, e.g., נִקְבָּה, הִיָּה, וְהָ, כִּי, וְיִלְכֹּי; but within the word the

¹ Just how this came about in the case of the Old Persian, is not at present ascertainable. Cf. Weissbach, *Die Keilinschriften der Achämeniden*, chap. 5.

² W. Max Müller, *MVAG*, 1912, 3 (and already in *Asien und Europa*, chap. v). I ought, perhaps, to add that to me the weakest part of the late Professor Müller's thesis seems to be the derivation from the "Babylonian world-script" of whatever vocalization the Egyptian writing may have developed. Müller is just as positive as any member of the "Berlin school" in his statements as to the non-vocalic character of the original hieroglyphic script. Cf. p. 13 f.

³ *North Semitic Inscriptions*, p. 5.

vowel letter is not written, e.g., צר, אש, ימן; δ = *au* diphth. is written *plene*, ער (from *aud*), מרצא, but $\delta = a$ is written *defective*, שלש, אמה, קל, הצבם.¹ The same holds for all the other inscriptions which have come to light.

Would it not be better to express the peculiarities of the writing of these inscriptions as well as of the Hebrew and other Semitic writing something as follows? The *scriptio defectiva* is the rule, but some of the vowels are written. The characters used to express these are also used to write certain consonants.

I believe that the cuneiform will help us here. As in the case of the Hebrew, the Babylonian language early dropped initial *w* (ψ). So we have *abálu* from *wabálu*. The Babylonian also dropped initial $\dot{\imath}$. Consequently difficulties were encountered when the cuneiform was used to write West Semitic words. On the other hand, $\dot{\imath}$ in *bēli-ia* is clearly consonantal. The same may probably be said of ψ in words like *šēpúa* (pronounced *šēpuwa?*). Similarly *a* seems to have served for ' (spiritus lenis) as well as for the vowel, e.g., *tiamtu*, (cf. *ti'amtū*). Long vowels were indicated by adding *a*, *i*, *e*, *u*, to the syllabic signs, e.g., *šadu-u* = *šadū*, *ma-a-tu* = *mātu*. In a word, certain signs are used to express both vowels and consonants. It might be urged that here consonants were written by means of vowels, while in the Phoenician or West Semitic script it was the other way round. But this is begging the question. The fact that our Semitic philologists have been vacillating between the terms semi-vowel and semi-consonant is significant. When any attention is paid to the phonetics of modern spoken Semitic dialects, it is discovered that they violate most of the "laws" according to which, so say the grammarians, Semitic words were "originally" pronounced. All of which goes to show that we have needlessly been heaping up difficulties by insisting that the early Semites must have been able to distinguish down to a hair's breadth between vowels and consonants—a feat which our most modern phonetic science has difficulty in doing. We do the same when we dogmatically assert, for example, that each initial vowel in the Semitic *originally* had a "clear" beginning, that is, was preceded by a consonant, *h*, or as we say in modern phonetic parlance, by a "glottal stop," and that

¹ *Ibid.*, p. 16.

only *later* were "gradual" beginnings indulged in.¹ In a word, I believe that a knowledge of Babylonian usage will help us to a better understanding of the vocalization of the Western writing, in so far as this was done through characters which also served as consonantal letters. And that, furthermore, if the Egyptian script really was vowelless, and if the Phœnician alphabet was patterned upon the consonantal alphabet of the Egyptians, then it might not be too rash to conclude that as to the vocalization of its writing, which we grant was "defective," the Phœnician was influenced by the Babylonian, the other script with which its "inventors" seemingly must have been more or less familiar.

But after all, in matters of this kind absolute certainty is not attainable. The best that we can hope for is that the cumulative evidence of a large number of heterogeneous facts, none of which alone would carry much weight, will make the hypothesis we advance seem reasonably plausible. As to Egypt's contribution to the Semitic alphabet, Gardiner has done just this. After having "reached the uttermost limit to which the balancing of probabilities" could carry him, he turned to the task of gathering new evidence. This he found in some monuments from the Sinaitic peninsula, ten in number, "bearing inscriptions in an unknown script, which at first sight appeared to consist of roughly graven Egyptian hieroglyphs, but on a closer inspection revealed the presence of signs not belonging to any known Egyptian style of writing."² In these inscriptions he noticed a "sequence of four letters that recur five, if not six times," which he believes should be read בעלית = Ba'alat = Βαάλις.³ Further than this he is not able to go with the decipherment. Petrie assigned the date *ca.* 1500 B.C. to these monuments, but Gardiner is by "no means convinced that the end of the Twelfth Dynasty would not be a more probable date."⁴ This would make the date *ca.* 1800 B.C. and would push back the beginnings of the Semitic alphabet nearly a thousand years.

¹ Cf. Brockelmann, *Grundriss der vergleichenden Grammatik der semitischen Sprachen*, Bd. I, pp. 44 f. "Jeder anlautende Vokal wurde im Semitischen ursprünglich fest, d.h. mit Stimmritzenverschluss eingesetzt." This is the dogmatic assumption of the grammarian. But note: "In den einzelnen semitischen Sprachen treten nun aber vielfach auch schon Vokale mit leisem Einsatz auf." And again, "In neuarabischen Dialekten ist der leise Einsatz oft beobachtet worden."

Op. cit., pp. 12 f.

³ *Ibid.*, p. 15.

⁴ *Ibid.*, p. 13.

Gardiner's conclusion that the new Sinaitic writing was Semitic and not Egyptian was reached after he had made a careful study of the "Phoenician" alphabet and its descendants. He advocates "a much greater importance for the traditional *names of the letters*, which are almost identical for the Phoenician and the Greek, and are still for the most part recognizable in the Ethiopic (an offshoot of the Minaeo-Sabaeen)."¹ Lidzbarski had attempted to overcome some of his difficulties by substituting the names *dad*, 'the female breast' for *delt*, *qesheth*, 'bow,' for *qof*, *garzen*, 'axe' for *gaml*, etc. But Gardiner believes that "whether these names please us or not, they are our *data* and we have to accept them, or at least to account for them in some way or other."²

Assuming that the letter *aleph* had that name because its original form was the picture of an ox-head, he looked over the new Sinaitic inscriptions and found this head in a number of places. It closely resembles one of the Egyptian hieroglyphs (F 3).³ Without following him in his search, we will merely note that he finds hieroglyphic equivalents for א = 'ox-[head],', ה = 'house,' ו = 'hook' or 'nail,' י = 'hand,' ז = zigzag line, 'water,' כ = 'fish' or 'snake,' ע = 'eye,' פ = 'mouth,' ק = 'head,' and, perhaps, ל = 'door' and נ = '[bent] hand.' Some of these are found in the Sinai texts. But here he also found other characters, "foreign to the Egyptian hieroglyphs, but answering well to the names of proto-Semitic letters."⁴

Gardiner was thus led to return to the view of Lenormant, who sought to derive the Phoenician letters directly from the Egyptian hieroglyphs.

But there is one question which keeps coming up in my mind, to which I would like an answer before I am ready to accept the hypothesis of direct borrowing. If the "inventors" of the Semitic alphabet were sufficiently well acquainted with the Egyptian hieroglyphs to single out from among them characters which should make up their alphabet, why did they not take over the alphabet which had long since been developed by the Egyptians? Only a few changes or additions would have been necessary to adapt it for their


¹ *Ibid.*, p. 5.

² *Ibid.*, p. 7.

³ *Schrifttafel in Erman's Ägyptische Grammatik*, 3d. ed.

⁴ Gardiner, *op. cit.*, p. 14.

purposes. Indeed this is exactly what the de Rougé hypothesis had them do. According to Taylor, the first letter of the alphabet, which was derived from the hieratic form of the picture of the eagle (G 1),¹ in course of time came to look like an ox's head and was renamed. The same thing happened to the other letters.

I cannot make myself believe that the ready-made Egyptian alphabet would have been passed by just for the sake of having an alphabet embodying the acrophonic principle. Of course, there is no difficulty whatever in that part of the hypothesis which calls for the renaming of the hieroglyphic signs by the Semites. This was done to some extent by the Eastern Semites (Babylonians) who borrowed their script from the Sumerians. The picture of the ox-head, named *gud* in the Sumerian, became *alpu(aleph)*. The sign for head, *sag* in Sumerian, became *reš*, *riš* (*resh*). However, the Sumerian values were retained alongside of the new Semitic values. So the sign derived from the picture of the head has the syllabic values *šak(sag)* as well as *riš* in the Babylonian. In the main, however, the syllabic values in the Babylonian were taken over directly from the Sumerian. If the Eastern Semites did this, one wonders why the Western Semites did not do the same. If the Western Semites just set out to invent an alphabet embodying the principle of acrophony, there is no reason for supposing that they needed to go to the Egyptian hieroglyphs for pictures of an ox-head or of a house. It may be, however, that the similarity between some of the signs, for example, the  and the zigzag line representing 'water' in the hieroglyphic, will compel us to conclude that there was direct borrowing of pictures. But why then give the value *m*, from *mem*, to a sign which had already become the letter *n*? If the Western Semites were really acquainted with the hieroglyphic writing, they must have been aware of this.

However, Gardiner is very modest in his claims, as the concluding paragraph of his article shows. "Thus we have to face the fact that at all events not later than 1500 B.C. there existed in Sinai, i.e., on Semitic soil, a form of writing almost certainly alphabetic in character and clearly modelled on the Egyptian hieroglyphs. . . . The common parent of the Phoenician, the Greek, and the Sabæan may

¹ See note 3, p. 35.

have been one out of several more or less plastic local varieties of alphabet, all developing on the acrophonic principle under the influence of the Egyptian hieroglyphs. Further speculation as to details is hardly likely to prove fruitful, in the lack of more decisive evidence" (p. 16).

There is one other matter which I should like to take up, namely, the order of the letters in the Semitic alphabet. Gardiner does not discuss this, but in view of the fact that he rejected so much of what the Assyriologists advanced, it seems to me that it would have been only fair to consider what they have to say on this subject. Perhaps it was overlooked. As far as we know, the Egyptians had no fixed order for their characters, and consequently the order of letters in the alphabet would not be so likely to attract the attention of an Egyptologist.

A good many years ago¹ Zimmern pointed out the remarkable fact that in the case of eight out of the twelve characters in the Phoenician alphabet about whose names there is little doubt (on the whole they are the ones which Gardiner found represented in the hieroglyphs) the order of their occurrence in the alphabet coincides most curiously with the order in Syllabar A of Babylonian signs having the same names (values). His list follows:²

1. *Aleph* = *alpu*, ox (105)
2. *Beth* = *bītu*, house (147)
3. *Gimel* = *gammalu*, camel
4. *Daleth* = *daltu*, door (155)
10. *Yodh* = *idu*, side (140 ?)
11. *Kaf* = *kappu*, hollow hand (140 ?)
13. *Mem* = *mā*, water (1)
14. *Nun* = *nānu*, fish (17)
16. *'Ayin* = *ēnu*, eye (42)
17. *Pe* = *pā*, mouth (51)
20. *Resh* = *rēšu*, head (52)
21. *Shin* = *šinnu*, tooth

It will be noticed at once that the two halves of the Babylonian (second) column have to be changed about to get the signs into the

¹ *Zeitschrift der deutschen morgenländischen Gesellschaft*, L (1896), 667 f.

² *Op. cit.*, p. 668. The numerals in the Babylonian column would today be somewhat different, in view of our possessing more complete copies of the Syllabar, but their order would not be changed.

Phoenician order. That is, in the Syllabar the signs corresponding to *Mem* and following, of the alphabet, precede the group corresponding to *Aleph* and following. To my knowledge no one has attempted to account for this, and I shall try to do so presently. But inside the groups representing the two halves of the Babylonian column and their equivalents in the alphabet, the sequence of the signs is so strikingly similar that it is difficult to believe it accidental. That the order of the signs in the Syllabar goes back practically unchanged to the Sumerian days had been inferred from some fragments of tablets in the Assurbanipal Library which contained copies of the Old Babylonian version of the Syllabar with Assyrian equivalents.¹ We now have positive proof.² That Syllabar A was familiar to and used by the scribes in Canaan and Egypt is proved by the occurrence of a fragment of it among the Amarna finds.³ Note that I said that the order of the signs remained *practically* unchanged through the centuries. The Amarna fragment shows a slight divergence from the late Assyrian order.⁴ If it were not for this it would be difficult to account for the insertion of two letters between \mathfrak{D} and \mathfrak{N} , Nos. 17 and 20 in the alphabet, corresponding to *pû* and *rêšû*, which follow directly the one upon the other in the Syllabar (Nos. 51 and 52).

Now I do not see how we can avoid the conclusion that the arrangement of the letters in the alphabet was influenced by the arrangement of the signs in the Babylonian Syllabar A, and that those who were responsible for that arrangement were familiar with the cuneiform writing. The cuneiform was in use in Canaan for centuries. Of course there may have been slight changes in the order of the alphabet⁵ just as there were in the Syllabar. But how did the *aleph* get into the first place? No answer to this has been proposed, and yet I think it is perfectly plain. Because Syllabar A begins with *a*. Now I hear the objection that *aleph* is a consonant

¹ CT, V, pls. 7 f.

² In fragments of the Syllabar found at Nippur and dating from ca. 2000 B.C., Langdon, *Sumerian Grammatical Texts*, Text 5.

³ Kn. 348. Cf. Syllabar A, IV, 12 f., in CT, XI.

⁴ In this fragment *tir* is inserted after *dar*; in the CT texts this sign is found in Col. VI, 21.

⁵ Such occurred in its later history.

and *a* a vowel. But I have already given my answer to this objection in the first part of the paper.¹

In conclusion: The *order of the letters* in the Semitic alphabet was influenced by the order of the signs in the Babylonian Syllabar A. This, I believe, is a certainty. The *vocalization* of the Western writing may have to be explained on the basis of the Babylonian writing. This I regard as a probability. The cuneiform may not, therefore, be brushed completely aside in our endeavors to write the history of the so-called Phoenician alphabet.

I have touched only incidentally upon the strictly historical problems, because a discussion of these would carry us too far afield. One thing, however, becomes increasingly clear to me as I think over the matter of the development of this alphabet in the light of the history of Western Asia, and it is this: It would be strange indeed if the new system of writing which sprang up in Syria had not drawn upon both of the systems, the Egyptian and the Babylonian, long in use, side by side, in that region. I think Professor Breasted was on the right track when he linked up the Aramaean scribe, pictured on the Assyrian monuments and mentioned in their inscriptions, with our problems. I believe it will be possible to unearth the forebears of this Aramaean scribe, and that when we have done this we shall have come upon the "inventors" of the Semitic alphabet. But I leave this search to him.

¹ The correspondence between the arrangement, within certain groups, of the laws of the Code of Hammurabi and those of the Book of the Covenant is regarded by many as perhaps our strongest evidence of the dependence of the Hebrew law upon that of Babylonia.

THE RELATION OF JEWISH TO BABYLONIAN LAW¹

BY H. S. LINFIELD

The Dropsie College, Philadelphia, Pennsylvania

The purpose of the present article is to show that there exists a definite and unmistakable relationship between Jewish law and Babylonian law. Before taking up this subject the writer deems it necessary to state briefly the following: the meaning of the term "Jewish law" and its literature; the two opposing views of the relation of Jewish law to biblical law; the significance of the Jew's sojourn in Babylonia for fifteen centuries; and the meaning of the term "Babylonian law."

The Talmud is a unique book of twelve volumes, the product of the spiritual activity of the entire Jewish people, which came to be the fundamental possession (*Grundbesitz*) of the Jewish people, its life-breath, its very soul. It was a family history for succeeding generations in which they felt themselves at home, in which they lived and moved, the thinker in the world of thought, the dreamer in glorious ideal pictures. For more than a thousand years the external world, nature and mankind, powers and events, were for the Jewish nation insignificant, nonessential, a mere phantom; the only true reality was the Talmud. A new truth received, in their eyes, the stamp of veracity and freedom from doubt only when it appeared to be foreseen or sanctioned by the Talmud. Even the knowledge of the Bible, the more ancient history of their race, the word of fire and balm of their prophets, the soul outpourings of their psalmists, were only known to them through and in the light of the Talmud. The Talmud was the educator of the Jewish nation and his education can by no means have been a bad one, since, in spite of the disturbing influence of isolation, degradation, and systematic demoralization, it fostered in the Jewish people a degree of morality which even their enemies cannot deny them. The Talmud preserved and promoted the religious and moral life of Judaism; it held out a banner to the communities scattered in all corners of the earth, and protected them from schisms and sectarian divisions. It produced a deep intellectual life which preserved

¹ Abbreviations: *AbR*=Schorr, *Urkunden des Altbabylonischen civil- und Processrechts*; *AR*=Kohler und Ungnad, *Assyrische Rechtsurkunden*; *Bab*=Babylonian Talmud; *BJ*=Beth Joseph, *Commentary on the Caro Code*; *BR*=Kohler und Peiser, *Aus dem babylonischen Rechtsleben*; *BT*=Strassmaier, *Babylonische Texte*; *BV*=Peiser, *Babylonische Verträge*; *CT*=Cuneiform Texts; *HG*=Kohler und Ungnad, *Hammurabi's Gesetz*; *HM*=Caro Code, *Hoshean Mishpat*; *JE*=Jewish Encyclopedia; *Jer.*=Jerusalem Talmud; *JH*=Maimonides Code.

the enslaved and proscribed from stagnation, and which lit for them the torch of science. . . . But while the historian experiences no difficulty in discerning the all-important influence of the Talmud on Jewry, it is a totally different matter to describe the work. For the Talmud must not be regarded as an ordinary work composed of twelve volumes. It possesses absolutely no similarity to any other literary production; but it forms, without any figure of speech, a world of its own, which must be judged by its own peculiar laws. It is therefore so extremely difficult to give a sketch of its character, in the absence of all common standards and analogies.¹

The Talmud is a work coming from the fifth century of the present era, which contains the best that the Jewish spirit created from time immemorial until the foregoing date, which is not included in the biblical literature. More correctly, the Talmud contains the "law," which prior to its being written down was taught orally with reference to the law in the Bible, which was written. The Talmud thus represents the oral law in contradistinction to the Bible, which is the written law. The written law is also known as the Torah or *Miqra*, while the oral law is known also as *dibhre Qabbalah*, or *dibhre Sopherim*, or *miswoth Zegenim*.² Philo and Josephus call it *παράδοσις ἄγραφος*, "unwritten traditions," or *τῶν πατέρων διαδοχή*, "inheritance of the fathers." The New Testament and the church fathers knew it as *παράδοσις τῶν πρεσβυτέρων*, "the teaching of the elders." Later Jewish literature also knows it as *Mishnah*, and so also Hieronymus.³

The oral law, to be sure, was not written down at one sitting. Originally the oral law was taught in connection with the written law. Probably already the elder pupils of Šamai and Hillel made collections of the oral law independent of the Bible. So there arose a collection of oral law called *Mishnah Rishonah*. "A large portion of this Mishnah is still preserved in its original form" in our written "oral law." But owing to adverse conditions, and the fact that each teacher taught the *Mishnah Rishonah* according to his own conception, there arose the need for a new collection of the teachings of the oral law. The Synod of Jabneh undertook its creation, and thus arose the collection known as *Eduyoth* ("testimonials"), which we possess in an abridged form. This latter collection had many

¹ Grätz, *Geschichte*, IV, 376-79, abridged.

² Bab, *Sukkah* 46a; Jer. III, 53d; *Pesiqta* III.

³ Grätz, *ibid.*, n. 2.

advantages over its predecessor, which was consequently superseded, but it itself possessed an inherent weakness: it lacked method in its arrangement. Rabbi Aqiba therefore undertook to re-edit the oral law systematically, grouping the various teachings according to their respective topics. The chief excellence of this latter collection was its systematic and topical arrangement. But due to various causes it suffered from undue brevity and from arbitrary exclusion of many teachings found in the older collections. Rabbi Aqiba himself later edited a work containing comments to his Mishnah, and others adopting his system made collections of their own. Rabbi Mair, one of Rabbi Aqiba's pupils, thus made a new compilation, which attained a wide circulation but was unable to displace the other existing compilations. Thus there continued to exist, with reference to the teaching of the oral law, variation and confusion, both as to the statement of the laws and as to their exposition. Rabbi Judah ha-Nasi, commonly called Rabbi, in the beginning of the third century of the present era undertook to remedy the situation. Adopting Rabbi Aqiba's system of arrangement, and making use of all of the best existing collections, he brought forth a new collection, which soon became the standard Mishnah. Rabbi's work was superior to its predecessors, but it suffered more or less, as did its forerunners, from undue omissions and inconsistency. Some of Rabbi's pupils, already during the life of their master, made additions and emendations to his Mishnah; finally they compiled a rival collection called *Mišnaïjloth Gedoloth*, since their work was more voluminous than Rabbi's collection. The situation created by that production forced the *Debe Rabbi*, Rabbi's school, to undertake a thorough revision of Rabbi's Mishnah. Even this revised work continued to be amended slightly by later teachers. But, broadly speaking, it remained the standard Mishnah and came to be the official and authoritative written "oral law."¹

This attitude taken by the rabbis toward the Mishnah had a far-reaching effect. Needless to say, the oral law, in contradistinction to the written law, was never stagnant; it was always alive to changing conditions. Before Rabbi these new laws and teachings were taken care of in the successive editions of the Mishnah. After Rabbi

¹ Cf. Lauterbach, article "Mishnah" in the *JF* and authorities cited there.

the oral law, to be sure, did not cease developing. But no more could the rabbis promulgate new laws and render new decisions on their authority as traditionnaires in conformity with their understanding of the written law. There was the Mishnah, the written oral law, containing the Law for the Jew: every new law must have its basis in it. The rabbis that follow the Mishnah refer to themselves as *אמוראים*, "interpreters of the Mishnah," or "students of the Mishnah," in contradistinction to the mishnic rabbis whom they call *תנאים*, "teachers of the oral law." The sayings of the latter are known as tanaitic, and those of the former as amoraic, which have no standing except when based on the former. The universal acceptance of Rabbi's Mishnah as the standard work of the oral law thus caused a new departure in the development of the oral law.

Rabbi's Mishnah was made the textbook of study in the academies of Palestine and Babylonia. Law after law, saying after saying, in the work was taken up and discussed by the members of the academies. In their discussions they made use of tanaitic material, not found in the Mishnah, which is referred to as *Baraita*. We do not possess any collection or collections of *Baraitas*. We do have a bulky collection of tanaitic teaching known as *Tosephta*, arranged topically, running very similar to our Mishnah, and some tanaitic books, arranged with reference to the Bible and running as a commentary to it. These books are known as *Halakhic Midrashim*.¹ Some *Baraitas* quoted are found in the tanaitic works that we possess, while others are not. Evidently, as is to be expected, the Amoraim possessed much of tanaitic material which is lost to us. Thus with the Mishnah as a textbook, with the extra mishnic teachings as valuable material, and with the natural continuous change of economic and other conditions as a background, the Amoraim continued the development of the oral law. The method now was the discussion in the academy. After more than two centuries these discussions were collected and arranged as a sort of commentary to the Mishnah. The complete work is called the Talmud and the discussional part the Gemara. We have two Talmuds, one produced

¹ The one to Exodus is called *Mekhilla*, a new edition of which is being prepared by Dr. Lauterbach for the "Jewish Classics Series"; the one to Leviticus is called *Siphra*; and the one to Numbers and Deuteronomy goes by the name of *Siphre*, an abbreviation of *Siphre Debe Rab*. There are a few other tanaitic works of minor importance.

by the schools in Babylonia and called the Babylonian Talmud; the other produced by the schools in Palestine, and known as the Jerusalem Talmud. The first is well redacted, while the latter is not. For the purpose of this paper we may regard the Jerusalem Talmud as a recension of the Babylonian one.

To sum up, the Bible contains the written law, and the Talmudic literature contains the oral law. The latter consists of tanaïtic teachings and amoraic teachings. The standard work of the former is the Mishnah, with the *Tosephta* and *Halakhic Midrashim*, and *Baraitas* quoted in the Talmud as supplementary. The standard work of the latter is the Gemara of the Babylonian Talmud, with that of the Jerusalem Talmud as supplementary. By the term "Talmudic literature" we mean the works that contain that body of "traditions" originally taught orally; and by the term "Jewish law" we mean the legal portions in the Talmudic literature in contradistinction to those in the Bible.¹

What is the relation of the oral law to the written law? In form, we have already mentioned, some teachings are claimed to be based or "derived" from a verse, or a word, or a letter, etc., in the Bible, while the great majority of the teachings are in the form of independent statements. But what is the intrinsic relation of the oral to the written law from the point of view of the spirit that permeates it and from the point of view of origin and development? This question was a burning one in the days of the Talmudists; for it is clear that the oral law could not gain an authoritative position unless its relationship to the Bible was definitely and satisfactorily established. Thus already the Tanaïm felt the necessity of dealing with this question.

The Talmudic literature gives its answer to this question, summarized by Maimonides, as follows:

All the commandments which were given to Moses on Sinai were "given" together with their commentations. Moses wrote down the entire Torah with his own hand, and gave a copy of it to every tribe, and one copy he

¹ Unless specified otherwise we mean by "Talmud" the one compiled in Babylonia, containing Rabbi's Mishnah, *Baraitas*, and the Gemara (amoraic discussions) of the Babylonian Amoraim. According to S. Krauss two-thirds of the material contained in this work are legal and the remaining one-third is homiletical.

deposited in the Ark. But the commentary to the written law he did not commit to writing, but he taught it to Joshua and the elders, etc., orally. That is why it is called the oral law. Thus Joshua received the oral law from Moses, and transmitted it to Eli. Samuel received it from the latter. It was transmitted from prophet to prophet until Ezra received it from Baruch. Ezra and his court are known as the men of the Great Synagogue. Simon the Just was a younger member of that body of traditionnaires of the oral law. Antigonos of Sokko received it from the latter, and so it was transmitted to Hillel and later to Rabbi, the compiler of the Mishnah. His pupils received the oral law from him and transmitted it to younger teachers until it was finally transmitted to Rabbi Ashi, who compiled the Babylonian Talmud and thus marked the "Sealing of the Talmud," the oral law.¹

The answer to our question amounts to this: The oral law is as old as the written law; both have one and the same origin; and one is inseparable from the other: the written law cannot be understood without its commentary, the oral law, and the latter in turn has no basis without its text, the written law.²

As a representative view of the modern school we may take the one by Weiss in his *History of the Oral Law*.³ The oral law, according to Weiss, is the product of two sets of forces: internal and external. Various political and religious changes that took place in the internal affairs of the Jewish people created conditions that called for new laws. All the while the Jewish people were in contact with foreign peoples, a condition which reacted on Jewish law in two ways: either it forced the Jewish leaders to legislate in order to ward off foreign influence, or it forced the Jewish sages to adopt foreign laws as their own. The foreign peoples referred to were the Persians, the Greeks, and the Romans. From the moment that the Jews were led into captivity into Babylonia and were later scattered all over the countries of Babylonia, Persia, and Media—from that time on until the completion of the Talmud in the fifth century the oral law was influenced by Persian law or culture. Very soon after the time of the conquest of Asia by Alexander and onward, the Jews came into contact with Hellenic culture, which exerted its influence on the oral

¹ Malmonides, *JH*, Preface, abridged.

² To be sure, many hard-fought battles took place before this "theory" could be formulated in the bold terms stated above; cf. Taylor, *Sayings of the Fathers*, Excursus 1 and notes. But it won the day at last.

³ It is the standard work of the subject written in modern Hebrew under the title of דרך דור ודור.

law. Finally, with the conquest of Greece by the Romans, the Jews came into contact with the latter, whose law especially influenced Jewish law.¹ Jewish law is thus the product of changed conditions of Jewish life on the one hand and of contact with Persia, Greece, and Rome on the other hand.

In 586 Jerusalem was captured by the neo-Babylonians, and considerable numbers of Jews were forcibly transported from Palestine to Babylonia. Thus there sprang up small communities, especially in southern Babylonia. Half a century later the neo-Babylonian Empire was overthrown by the Persians. The liberal-minded monarch, Cyrus, issued an edict permitting the exiles to return. During the generation that followed that edict small bands did return, from time to time, to Palestine, but the bulk of the exiles remained in their new country. In the days of the successors of Cyrus, Jewish communities in Babylonia were, probably, much more populous than before.² Our sources for the history of the Jews in Babylonia, extending over a period of more than sixteen centuries (586 B.C.—1050 A.D.), are meager.³ We know that their numbers continued to increase, so that during the Parthian period (160 B.C.—226 A.D.) the Jews were able, for a time, to gain complete political control over a certain district of the country. We also know that very soon after the Jews came to Babylonia they entered every phase of the economic life of the country. In the Persian period we find Jews engaged in every sort of business and profession. There was only one profession in which we do not find any Jews, and that was the profession of the scribe. Seemingly, it has been suggested, the Jews were not masters of the Babylonian language and the difficult cuneiform script as were the native Babylonians, or perhaps the profession of the scribe and that of the notary were hereditary ones. In later times we find Jews engaged in trade and commerce and all sorts of professions and handiwork, even canal dredging.

It is important to bear in mind that up to the Sassanid period no political barriers seem to have existed between the Babylonians

¹ Cf. *ibid.*, II, 11–36.

² Cf. Daiches, *Jews in Babylonia*.

³ For the presentation of the history of the Jews in Babylonia, as here given, see E. Meyer, *Entstehung des Judenthums*, and his *Geschichte des Altertums*; Weiss, *History of the Oral Law*; Daiches, *Jews in Babylonia*; and Krauss, article "Babylonia" in *JE*.

and the Jews. In early days the Assuan papyri take us to a Jewish-Egyptian ghetto. They show us that the Jews were persecuted by the non-Jewish population, and it was the strong arm of Persia that had to protect them. In the contemporary records that come to us from Babylonia we find no trace of separatism. Babylonian, Persian, and Jew lived peacefully together. In fact the Jews in Babylonia were what we could call today entirely emancipated. "They were free citizens of a free land."¹ Notwithstanding the fact that the Jews enjoyed full citizenship in Babylonia, they were what we could call today nationalists. They were not only devout Jews. They regarded themselves as a part of the Jewish people or nation; they looked with reverence upon Palestine as the national home land, and they hoped for a speedy return of all of its scattered children. Small bands constantly filtered into Palestine, and those that remained supported it financially and in other ways, especially so during the period of restoration, and, later, during the wars with Rome. Like so many Jews today living in New York, London, Paris, and Rome, the Jews of Nippur and Babylonia on the one hand were 100 per cent Babylonian, ready to sacrifice themselves for the welfare of their country, and on the other hand were aglow with enthusiasm for the welfare of Israel. The fire of Jew-consciousness never dimmed.

Still it is hardly necessary to state that the Jews of Babylonia could not withstand that unconscious and uncontrollable process of acclimatization. As the Jews in the United States are Americanized, in England Anglicized, in France Gallicized, so were the Jews in Babylonia Babylonized. We see that in their personal names. One Jeda'el names his son Ahušunu, an ordinary Babylonian name. Another one by the Babylonian name of Shirka has two sons, one named Shabatai, a Jewish name, and the other Liblut, a very common Babylonian name. Another Shirka had a son Mataniah. One Ninib-etir ("the god Ninib is protecting") had two sons, one called Gubba and the other Hananiah. Another Jew, Ninib-lu-kin ("may Ninib establish the family"), had a son called Hanan; and still another Jew, Šamaš-la-din ("may Shamash judge" ?), had a son named Jeda'iah. As for the later periods suffice it to say here that many famous rabbis bore Babylonian names.² The complete and

¹ Dalches, *ibid.*

² Cf. p. 52, n. 2.

thorough Babylonization is still more evident in the adoption, by the Jews, of the language of the country, which was Aramaic in vocabulary and grammar and seemingly Assyro-Babylonian in its phonetics. The Jews adopted it, spoke it, and wrote in it all their literary productions, and even long after Arabic superseded that tongue in Babylonia the Jews there persisted in using the "language of their fathers" in their literary activities.¹ In fact that language never lost its hold over Israel. It was always regarded as a national language second to Hebrew. So thorough was their adoption of the language of the country that after some time they could no more pronounce one-fourth or one-fifth of the consonants of Hebrew, their original tongue. This fact led the renowned philologist, Carl Brockelmann, to suspect that the Jews in Babylonia were Babylonians in race who adopted the Jewish religion.² There can be no question that there was some intermarrying going on all through that period.³ But such a conclusion is entirely unwarranted. The linguistic phenomenon is only one of the signs that point to the Jew's thorough acclimatization and Babylonization.

Babylonian Jewry lived in peace and prosperity until the advent of Sassanid supremacy (226 B.C.). Babylonian Jewry was founded by the cream of the Jewish people. No wonder that already in its infancy it was able to bring forth an Ezra and a Nehemiah. Even in its days of decay, during the period of Arabic supremacy, it possessed the vigor and spirituality to produce the *Ga'onim*, the men of learning who brightened the spiritual life of the Jews not only of Babylonia but also of the entire Diaspora in the days of gloom and darkness. But with the advent of the Sassanids the Jew was made to feel that he was no more a free citizen of a free land. However, in spite of sporadic outbursts of persecutions, many causes combined in producing an unsurpassed literary activity among the Jews. The movement really began in the last days of the Parthian supremacy. But as the persecutions became more and more frequent and violent Babylonian Jewry more and more devoted its energy to build a monumental work which should testify to its spiritual activities during so many centuries. As if feeling that still more oppressive

¹ Krauss, article "Babylonia" in *JE*.

² Cf. *VG*, p. 49.

³ Cf. the story of Isur the Proselyte, *Bab. Bab. Bat.* 149a.

times were in store for the Jewish people, they did not tire in completing their spiritual legacy to Israel. It was the Talmud, a bulky book, two-thirds of which deal with legal themes. Law: that was its spiritual contribution to the treasury of Israel. Tradition claims that "when the Torah was forgotten in Israel, Ezra came from Babylonia and restored it; when forgotten again Hillel the Babylonian [ca. 100 B.C.], came and rehabilitated it; when forgotten once more Rabbi Hija and his sons came and re-established it."¹ Law: that was the pride of Babylonian Jewry. Its monument was built during the Sassanid period, days of persecution, and completed on the eve of the Arabic period, days of rapid decay and dissolution for Babylonian Jewry. In the second half of the eleventh century Babylonian Jewry was a thing of the past. But it did not live in vain; it succeeded in embodying its law in a book which was destined to become the strength and power of preservation of Israel during the centuries of persecution, misery, and torture.

The economic resources of Babylonia and its law and business customs are well known to us. The earliest known code in the world which comes from that country presents us with an excellent picture of the law of the land of Babylonia in the days of King Hammurabi, more than fifteen centuries before the Jew stepped on the soil of Babylonia. But we have legal and business documents that come to us from centuries prior to Hammurabi's reign, most of them written in a language that is in no way a Semitic tongue, as is the language of the code. Those old contracts clearly posit the very law embodied in the code of Hammurabi, who, by the way, claims to have received it from the god Shamash. To be sure, the code shows minor differences, but they are nothing more than signs of development along the lines of the law of the land, which those old contracts posit. It is clear that as early as we can go back there was in Babylonia a well-defined and thoroughly worked out law of the land based upon the economic life of that country. This law of the land was always alive to changing conditions; it was always developing, never being stagnant, but never suffering a break in its continuity. This is a conclusion that we reach by a comparison of the

¹ Bab. Suk. 20a.

law of the pre-Hammurabian contracts with that of the code. It is the same truth revealed to us by a study of the contracts coming to us from the foreign, Kassite dynasty, the one that followed the dynasty of Hammurabi, from the Assyrian period, from the neo-Babylonian period, from the Persian period, and from the Greek period. Babylonia was again and again invaded. Between the invasion of the country by the Semitic Akkadians under Šarru-kin in 2750 B.C. and the last Semitic invasion by the Arabs in the seventh century A.D. the country was perhaps invaded a dozen times or more. It was invaded several times by non-Semitic peoples, like the Kassites, the Persians, and the Greeks. But none of these peoples changed the legal and business customs of the country. During its period of fertility and splendor the land of the two rivers changed its language thrice: Sumerian, Assyro-Babylonian, and Aramaic. But not even these changes brought about a break in the continuity of the development of the law and the legal and business customs of the country. Seemingly so immediate and close was the relation of the law of that land to its economic resources and conditions that nothing could direct the former along other channels as long as the latter remained undisturbed. It was left to the Arabs and later the Mongols to introduce a new law in that country. But they succeeded in doing it only after they converted that fabulously rich plain into swamps and steppes; after they totally changed the economic structure of the land. Just before that great catastrophe the Jews, after having lived in that country as free citizens for more than ten centuries, embodied their law in a work known as the Talmud. If we grant the assertion (how can we refute it?) that it shows signs of its native land, it is the last production of that country to reflect its economic and business conditions after a history of more than three thousand five hundred years.

We know that the Babylonians were pre-eminently a people of traders and business men. In the course of the history of the people of the two rivers Babylonian traders were met with in the east and in the west land (Palestine and Syria), in Asia Minor, and on the Nile. This commercial expansion began during the old Babylonian period; it stretched further during the Assyrian period, and it reached its farthestmost limits during the neo-Babylonian and

Persian periods. We find Babylonian contracts in Cappadocia; and contracts written in Aramaic, which are, however, essentially Babylonian, were found in Assuan on the Nile. Gradually the Babylonians were superseded by the Arameans. We find the latter even more than we do their Babylonian precursors spread all over the East and Egypt as traders and business men who, notwithstanding the fact that they introduced a new language for their trade, did not disturb the business and legal structure of the land of Babylonia. The commercial Aramean was later superseded to a limited extent by the Babylonized Jew. Just before the final destruction of the civilization of Babylonia its latest commercial citizen, the Jew, embodied his law in a work called the Talmud. Does not the law embodied in that work exhibit a definite relation to the law, business customs, and economic structure of the land of Babylonia?

The method used by Weiss and his school and the statement of his theory of the oral law are open to serious objections.¹ Yet it cannot be gainsaid that Jewish law was influenced by the systems of law with which it came in contact. We cannot expect anything else. Weiss and his school speak of the relation of Jewish law to Graeco-Roman law. Surely the latter system influenced Jewish law, though its workings and its extent are still to be determined. They also speak of the influence of Persian law. If by the term "law" we mean to include ceremonial law and ritual we must grant the contention. But, as we shall indicate later, there is no trace of Persian law in Jewish business law. It also interested scholars to point out "Babylonisms" in the Talmud. It was started and carried forward by Oppert, Halévy, Delitzsch, Tallqvist, and others. Feuchtwang, in *ZA*, was the one, to the knowledge of the writer, who for the first time devoted a long article to this subject.² In 1903 Dr. Hermann Pick published a short monograph entitled *Assyrisches und Talmudisches*. It constitutes a fair summary of the most that had been done before, and it contains new material. Schorr's *AbR* likewise contains notes on the subject. But all of those notes and discussions

¹ Cf. pp. 60-62 in this article.

² It appeared in *ZA*, Vols. V-VI. Its conclusion, to my knowledge, did not appear.

pledge is to be security for the loan and at the same time to pay off the interest on the loan; or, in other words, the house is to be an antichresis. The creditor, for one reason or another, does not want to dwell in the house. He thus agrees with his debtor that the latter should rent it and pay the pledgee 27 shekels. Nergal-uballit thus realizes 27 shekels, 20 per cent interest, on his loan of 74 shekels by renting the antichresis to its owner, Sula.

Jewish law is well aware of this Babylonian business practice. The Jews in Babylonia practiced it and the law legislated concerning it.

The law is not in accord with the business practice of the Narshean lessees. They contract as follows: A has pledged his field to B, then leased it from the latter. But now that it is written as follows:¹ I kept it in the hands of the pledgee for some time and then leased it from him, the transaction is proper: otherwise one would find it impossible to lend money. But [continues the Talmud] that is no argument [*Bab. Mes.* 68a, abridged].²

This highly instructive passage needs no comment.

All through the neo-Babylonian period, in case a debt was incurred by two or more persons each one was liable for his co-debtors, each one was responsible for the payment of the entire debt.³

So also in Jewish law.⁴

The contracts of the neo-Babylonians contain the clause: *išten put šani našu*.⁵ It is an explicit statement that one of the co-debtors is security for the other. There is reason to believe, as does, it seems, Dr. Kohler, that where there was no explicit stipulation to that

¹ The business transaction is the very same one; only the contract is differently worded.

² For the text cf. Rabbinowitz, *Variae Lectiones* and *BH*, *ad loc.*

³ Cf. *AbR*, p. 439, and *HG*, III, 237. As to whether or not this was also the case in the old Babylonian period, there exists a difference of opinion. Cuq maintains that unlimited joint liability was unknown in that period (*NRH*, 34, 1910). This opinion is not shared by Kohler, Ungnad, or Schorr.

⁴ Cf. *HM* 71:1 ff. The Babylonian law of joint liability is ambiguous. So also is the early Jewish statement of the law. The later Jewish codifiers could not agree as to the workings of this law. The *ROSh* and, according to the latter, *RMBM* also, maintain that even in the case of no default on the part of the co-debtors the creditor may apply to one of the co-debtors for the whole of the debt. On the other hand, the *Ittur* and others maintain that only in the case of the default of one of the co-debtors can the creditor apply for the whole debt to another of the co-debtors; cf. *BJ*; *HM* 71:1.

⁵ There is no doubt of the legal meaning of this phrase, although the exact meaning of "put" offers difficulties.

effect one was not security for the other.¹ This is not the legal opinion of the Jewish jurists.

Two persons who borrowed together² guarantee for one another, even though the contract did not contain the clause: "they guarantee for one another" [Jer. *Šebhuoth* 5:1].

What does this mean? This fact should direct us to the source of the Jewish law. It was based on the business customs of the land. The practice of joint liability became so common in the business transactions of the land that it was not necessary any longer to stipulate to that effect. For centuries the business men in Babylonia did not take it for granted; it had to be expressed. But at the time of the making of Jewish law joint liability was taken as a matter of course. There was no need to express it; it was common law.

We have here a clear-cut case of the dependence of Jewish law on Babylonian.

Jewish law as well as Babylonian recognizes as valid the assignment of a debt. A creditor has the right to assign his claim upon a debtor to a third party, whereby the latter is then compelled to satisfy the second creditor. According to Jewish law the original creditor continues to possess the right to waive his claim upon the debtor.

He who sells a bill of debt and later waives it, it is waived [Bab. *Kethub.* 85a], and even if the buyer stipulated that the vendor should not have the power to waive it if the latter did do it, the act stands. Similarly the original creditor can issue to his former debtor a receipt or he can postpone the date of payment [*HM* 66:24].

The buyer may sue the seller for damages, but he has no claim upon the debtor.

The Talmud ascribes this law to the famous Samuel, the greatest jurist in his day. No legal explanation is offered; neither is it based on any older source like the Mishnah.

An assignment of a claim can be made in one of two ways: either the existing bill of debt is legally transferred to the buyer or the

¹ "Sie garantieren aber nicht in Solidum; eine Solidarklausel findet sich nicht" (*BR.* II, 37). In passing may we notice that the corresponding Jewish law would shed light on the subject discussed there by Kohler.

² Read כִּאֲדָרִי instead of כִּאֲדָרִי? Cf. J.M.P. Smith, *Micaah* [I.C.C.], pp. 34 and 361.

original bill is destroyed and in its stead the debtor signs a new bill in which the consignee appears as the creditor, and the fact that the transaction is one of an assignment of a claim is disregarded legally. The significance of the former method over against the latter one is found in the following consideration: an assignment of a debt by the first method can be made without the consent of the buyer, while the second method demands the consent of the debtor and his active participation in the act, which usually cannot be procured without a consideration.

Assignment by the latter method is met with in Babylonia,¹ and it is just the method that Jewish law requires. The Jewish jurists maintain that the only legal and effective way to assign a debt is to make the debtor, for a consideration, to be sure, write a new bill of debt in which the buyer appears as the creditor, the fact that the latter is a consignee being entirely suppressed, *מקרקש ליה זויז, וכתב ליה שטרא בשמיה*.² Any other method is defective.

The relation of Jewish law to Babylonian in the subject under consideration is perfectly clear. The custom of the land was to assign a claim by the second method mentioned above. The Jewish jurists maintain that this custom must be rigidly adhered to; otherwise the assignment is defective and the claim continues to remain in the power of the original creditor, who thus can waive it.

A lends one hundred shekels to B against the latter's fruit-bearing field as an antichresis. The interest on the loan amounts to twenty shekels per year. But the produce of the field pledged amounts to forty shekels. A and B therefore agree that after the lapse of five years the former should release the field without compensation, for during this period the produce of the field will have covered both the interest and the principal. Such a transaction is one involving a pledge of the sort known in Anglo-American law as the Welsh Mortgage.

This kind of antichresis is well known in the usury-ridden Babylonian law.³

¹ Cf. *BR*, II, 34.

² *Bab. Keth.* 85a.

³ Cf. Johns, *Deeds and Documents*, p. 629; *AR*, p. 146; *BR*, I, 16.

Jewish law categorically prohibits the antichresis.¹ In spite of that fact all jurists agree that in the form stated above the antichresis is permitted.² We must assume, in the case before us, the dependence of Jewish on Babylonian law.

One lent his neighbor a sum of money against the latter's fruit-bearing field as a pledge. The parties to the transaction drew up a bill of debt which did not contain a clause specifying the date when the payment of the debt would fall due. Jewish law holds such a bill valid and maintains that the debt is due for payment one year from the date on which the bill was drawn up.³ This law according to the Talmud is on the authority of the elders of the city of Matha Mehasia.⁴

What was the law in Babylonia, the land where there lived both the jurist who promulgated the law and his authorities? The following neo-Babylonian contract is instructive:

Zumma lends two minas and eight šeqels to Marduk-našir-aplu against the latter's field as a pledge. The creditor is to enjoy the fruits of the field in lieu of interest at the rate of twenty-two per cent [BT, *Dar.*, 491].

The contract contains no date as to the termination of the loan, yet it is clear that the transaction could not be terminated before the lapse of one year. The business transacted in the foregoing contract is simple. The pledge in the hands of the creditor is not only security for the loan but it is also for the purpose of paying off the interest on the loan. It is thus an antichresis. As we shall see later, the bill without terms being a well-established institution in Babylonia, a bill like the one cited above need not contain a date as to the termination of the transaction; all took it as a matter of course, it is clear, that it could not be terminated before one year was over. This was the Babylonian custom, in full agreement with the banking system of the land.

The Jewish jurists quite well understood the importance of this regulation of one year. But they refused to consider the law as owing its existence to that fact. They claimed it to be Jewish and to be on the authority of the elders of the city of Matha Mehasia. The relation of Jewish law to that of Babylonia is clear.

¹ *Mish. Bab. Mes.* 5:2.

² *Bab. Bab. Mes.* 68a.

³ *Bab. Bab. Mes.* 67b.

⁴ *Ibid.*

It was the custom in Babylonia for the commission merchant to buy and sell in his own name. A is principal, B is the agent, and C is the third party. It was the custom that B dealt with C as if A had no concern in the transaction; B's relation to C was that of a principal.

Kabti-ilani-Marduk receives a sum of money from one Nabu-ahe-iddin to buy seed from Nabu-šum-usur. The agent buys the seed and pays for it in his own name and later transfers it to his principal and one Banunu, the latter's associate [*BT*, *Nbn.*, 133 and 132; cf. Kohler, *BR*, I, 10-11].

The relation of the Babylonian agent to his third party, on the one hand, and to his principal, on the other hand, is perfectly clear. His status with regard to his third party is that of a principal, while that with regard to his own principal is that of a debtor or an obligatee. A deal closed by such an agent cannot of course be voided by his principal as far as the third party is concerned. On the other hand the principal may refuse to honor the act of his agent as far as the former himself is concerned, be the basis for his refusal sound or weak; for the agent needs a new legal act in order to square himself with his principal.

This Babylonian business situation clearly underlies the legal decision rendered by the Jewish jurist in Babylonia:

A certain woman gave one a sum of money that the latter should buy for her a certain piece of land. The agent went and bought it for her in such a way that the vendor did not guarantee his title to that piece of ground. The principal then refused to honor the deal. The suit of that woman vs. her agent came before Rabbi Nahman and the jurist said to the agent as follows: You buy that piece of land as you did without the vendor having guaranteed his title, and sell it to the woman under your guaranty [*Bab. Bat.* 169b, abridged].

The dependence of Jewish law on Babylonian business customs in the case under discussion is apparent.

In Babylonian law the bill of acknowledgment is well known. A states that a certain object in his possession belongs to B. No matter what the actual facts in the case are, the maker of that statement must comply with its demands. Such a bill does not contain a *causa debendi*. In this respect it is like the promissory note, but, unlike the latter, it does not contain a clause to the effect that the

maker promises to perform a certain act. The bill merely acknowledges a state of fact, of obligation, or of debt. In Babylonia such a bill was usually drawn up in the following form:

C, D, E, F, etc., these are the witnesses before whom A said the following: So and so is the status of the matter with regard to B [cf. *BT, Nbk.*, 344].

So also in Jewish law. Such a bill is known as שטר אודיותה, and its validity is everywhere taken for granted and as a matter of course, as the story of Isur the Convert shows:

A certain Jewess by the name of Rachel conceived from a certain Babylonian by the name of Isur.¹ Before Rachel gave birth to her child the Babylonian was converted to Judaism and married Rachel. When their child was born his father was a Jew, but since at the time when his mother conceived Isur was a non-Jew, the child must legally be regarded as the son of Rachel and not that of Isur. Now Isur, who came to be known as Isur the Convert, deposited 12,000 zuz with Rabha, the famous head of the Jewish Academy of Learning in his day. While Isur's son, named Mari, was away from home attending school, Isur was about to pass away and he desired to make sure that after his death that deposit will come into the possession of his only child. But since legally Mari was not Isur's son, the latter had therefore the legal status of a convert without offspring whose property goes over into the possession of whosoever lays hold of it at the moment of the convert's death. Isur's hours were numbered. The question was, Can Isur find a way by which to transfer that deposit to Mari, or not? Strange as it may seem to us, Rabha desired to keep that sum of money for himself, legally, of course. So when the situation was brought to his attention while he was at the Academy, the famous jurist argued as follows: How can Mari acquire title to that sum of money? If through the institution of inheritance, Mari is no heir; if through the institution of *מחנה שכיב מריע*, it does not work in a case like Mari's; if by means of *משיכה*, Mari cannot lay hold on it; if by *הליפין*, coins cannot be acquired in that way; if by means of *אגב קרקע*, Isur does not own a piece of land, etc. Isur thus had no means, according to Rabha, by which to transfer the deposit to Mari, and consequently upon the death of its owner the deposit will belong to the jurist. But as Rabha was discussing the case in the Academy, there said to him one, Rabbi Iqa, as follows: Why cannot Isur transfer his 12,000 zuz by the means of acknowledgment? Let Isur acknowledge that those coins are Mari's and the latter will thus acquire title to them by the means of acknowledgment. While the discussion was going on in the Academy, some one brought the suggestion to the dying man and soon word

¹ Note the name. Isur (Issur) is clearly the Jewish pronunciation of the common Assyro-Babylonian name of Ašur (may the God Ašur , or, the God Ašur will).

came that Isur had transferred the money to Mari by acknowledgment. The famous jurist felt provoked, but Mari came into the possession of that money [Bab. Bab. Bat. 149a, abridged].

This passage in the Talmud with its clear statement of the validity of the bill of acknowledgment caused difficulties to arise among the mediaeval Jewish jurists. Diversity of opinion resulted.¹ But that does not interest us here. What is of importance to us now is the fact that the jurists in the time of the Talmud knew of this business practice, had a technical term for it, and took its legality as a matter of course just as did the non-Jewish inhabitants of the Valley of the Euphrates for centuries. The relation of Jewish law to Babylonian in the case before us is evident.

One rents a boat for transportation purposes. Jewish law maintains that the rentee pays its rent and bears the responsibility for its loss, even though it be reasonably unavoidable. This law caused great difficulties to the jurists. For if the boat is considered as an object rented, the rentee should not be held responsible for its loss; and if he bears the responsibility for the loss of the boat it must be considered as a loan which a Jew must not be charged rent for. It is needless to say that the jurists finally found a way to explain this law. That is not important here. What we must note is the fact that this was the custom of hiring boats for transportation in the land of Babylonia: the rentee paid a rental and was held responsible for its loss, whether avoidable or unavoidable.²

It is from this point of view that we must understand the following highly instructive legal discussion. It needs no comment.

Said Rabh, in hiring a boat one pays rent and is at the same time responsible for its loss. Said to him Rabbi Kahana, if one pays rent he should not be responsible for the reasonably unavoidable loss of the object rented, and if he bears all liabilities, he should not pay rent. And Rabh could not answer.

After some discussion by teachers of later generations, claiming that Rabh could answer that he based his statement upon an older tanaitic law,³ the Talmud continues as follows:

Said Rabbi Papa, the law is that one who rents a boat pays rent and bears all liabilities. And the custom among those engaged in that business

¹ Cf. *HM* 40:1, *BJ* and *SAK*.

² Cf. *HG*, III, 331, and Kohler's analysis.

³ Whether or not Rabh's statement is really in accordance with the older source is another question.

is that the rentee pays rent from the moment he takes possession of the boat, while in the case of its loss he pays its value at the moment of its loss. Does the matter depend upon the custom? [asks one naively, and he receives the answer that] the case was not so, because of the promulgation of the [Jewish] law, the custom came into being [Bab. *Bab. Mes.* 69b-70a].

II

All the illustrations cited so far have been drawn from the Gemara, amoraic law. What about tanaïtic law? Is it likewise related to Babylonian law, or not? The Mishnah, the standard work on tanaïtic law, was redacted in Palestine. Most, if not all, of the teachers cited in that work lived in Palestine. Tradition claims that Hillel (ca. 100 B.C.) brought the oral law from Babylonia to Palestine. But how far can we rely on this tradition? We must assume, so it may be argued, that tanaïtic law is the product of Palestinian conditions of life on the one hand, and foreign contact of Palestinian Jewry with the systems of law of Persia, Greece, and Rome on the other hand. It will, however, be readily conceded that the Palestinian nativity of the completed Mishnah and of the authors it cites has no direct bearing upon the problem of the nativity of the oral law, which it contains. A code of law, or a textbook of law, composed in the United States and quoting American authorities may, indeed, be essentially a presentation of English common law. Then again, the fact that tanaïtic law was influenced by Persian, Greek, and Roman systems of law, needless to state, does not speak against the possibility of its being in relation to Babylonian law.

In fact Weiss's proposition that Jewish law is to a certain extent the product of Persian and Graeco-Roman influence is open to serious consideration. First, the method used by Weiss and his school is mainly that of comparison: a Roman, Greek, or Persian law is selected to which a parallel Jewish law is called up, and the conclusion derived is that the Jew got it from the foreign source. Such a procedure is manifestly open to great objections, especially in view of the nature and character of the sources used. He and his authorities used the Zend-Avesta for Persian law, the various sources for Greek law, and the well-known Roman codes for Roman law. It is especially objectionable to assume that the law embodied in the Roman

codes was the one with which the Jew really came in contact. Frankel has already noted that "it is remarkable that there is not to be found a single Roman legal term in Talmudic law."¹ While this statement is too sweeping the observation as a whole is undoubtedly correct. Nor does this fact appear strange to us now. We at present possess a great multitude of business contracts of all sorts found in Egypt. They are almost exclusively papyri written in Greek. More than that, they "show us the true picture of the law in practice and they call to our mind the truth full of meaning that many a law of the Roman Empire was only on paper," etc.²

Secondly, along with the comparisons, those scholars find pleasure in basing conclusions on the fact that many Graeco-Roman legal terms are found in Jewish law. Again and again it is stated that terms like אפוזיק (ὑποθήκη), "hypotheca"; רייתיק (διαθήκη), "will," "testament"; אינר (ώνη), "bill," "bill of sale," etc., are taken from Graeco-Roman legal terminology; and that a word like שולחני (שולחן, "a bench," "a table"), "a money changer," "a banker," is a translation of a word from the terminology of the former. Evidently those scholars assume that along with these legal terms there came in also the law that they express. The Jew adopted both the term and its idea. This is a hazardous assumption. To illustrate, we find in Jewish law the Graeco-Roman term "antichresis."³ According to their assumption we would have to posit that along with the term the Jew was enriched also with the legal idea of the word. Fortunately we possess older sources which clearly deal with the business practice of the antichresis, yet they do not term it antichresis.⁴ Clearly the practice and legal idea of the antichresis were known to the people, yet later, by coming into contact with the Graeco-Roman term, they unconsciously adopted it. Does not this instance convince us that it is unsafe to assume that a foreign legal term in Jewish law signifies the adoption of the foreign legal idea and practice which the word stands for?⁵

¹ *Gerichtliche Beweise*, p. 60, n. 1.

² Wenger, *Recht der Griechen und Römer*, p. 162.

³ *Jer. Bab. Mes.* 6:7.

⁴ *Mish. Bab. Mes.* 5:2.

⁵ In our case there is in addition another consideration. The Mishnah was edited again and again. Is it not possible or even probable that the editors repeatedly substituted new and current terms for those obsolete or obsolescent found in the old teachings? The Mishnah, we should bear in mind, was intended as a textbook for students.

Thirdly, Weiss's theory suffers from the weakness of sweeping generalization. To illustrate, basing himself upon several seemingly irrefutable comparisons in the fields of religion and ethics, Weiss maintains that Persian law influenced Jewish law in all the latter's various branches, religion, ethics, and business law. We may grant that we meet with Persian influence in the Jewish conception of angels, ritual cleanliness and uncleanness, and in a few ethical sayings, etc. On the other hand, we can be certain that Persian business law did not influence the Jews; for the latter never came in contact with it! First of all, due to Persia's contact with the higher type of Babylonian law, the former's civil law lost its individuality.¹ Then again the Jews met the Persians in the land of Babylonia and west of that country. We have proof positive that the incoming of the Persians made no impression upon the business law of the country. Great numbers of business contracts from all along the Persian period, even those containing Persian names, differ in no way from those of the pre-Persian period. This illustration should guard us against generalization. Granting that Greek culture influenced the Jew in his philosophic speculations, it has still to be proved that it also influenced the latter in his everyday law. Similarly, in the case of Roman influence, we must abstain from generalizing.

The purpose of these remarks is not to deny the influence on Jewish law exerted by Persia, Greece, or Rome. Their object is to point out that the prevailing modern theory is open to objections both as to method and as to statement, and thus should help to overcome the prejudice among scholars in favor of that view to the exclusion of anything else. At all events, it will readily be granted that there is nothing inherent in the fact that Mishnah was redacted in Palestine and that the Palestinian Jewry was influenced by Persian culture and Graeco-Roman culture to exclude the possibility of tanaaitic law being in relation to Babylonian law.

In Babylonia, when one paid a contracted debt, it was the custom that the creditor returned or destroyed the bill of debt, the tablet. This custom was already in accordance with the laws of Sumu-la-ilu,

¹ Justi in *Grundriss der Iranischen Philologie*, II, 433.

the predecessor of Hammurabi.¹ To issue a receipt was unusual.² In the case of a payment in part the Babylonian either issued a receipt or destroyed the original bill of debt and had a new bill drawn up.³

In the light of the foregoing statement we read the following Mishnah:

He who paid a portion of his debt, Rabbi Judah says, the creditor should exchange his bill of debt for a new bill: Rabbi Jose says he should issue a receipt [*Mish. Bab. Bat.* 10:6b].

It is perfectly clear that this difference of opinion among the jurists has not its source in the Bible. It is equally clear that there was no tradition on the subject. We must thus fall back on the common law of the land. In the case of a payment in part, it was the custom of the land either to issue a receipt or to draw up a new bill. The Babylonian, as far as we know, had no laws prescribing the one or the other. The Jewish jurists, however, detected that to issue or not to issue a receipt was of advantage to one of the parties concerned. The underlying principle was, some jurists argued, that the debtor could not be burdened with the effort or the expense involved in keeping a receipt. Hence the custom of the land to draw up a new bill. But as there were also people who used to issue a receipt, there were others who maintained that it was in accordance with the law: the disadvantage must go with the debtor.

The relation of Jewish law to Babylonian is evident.

Jewish law recognizes as valid a note on demand.⁴ The bill must, however, contain an explicit clause to that effect.⁵ So also does Babylonian law.⁶ Jewish law also speaks of a bill of debt that contains neither a date for payment nor a statement that payment should be made on demand. As for payment, we have seen above that in case the loan was made against a piece of real estate as a pledge, the bill is due after a lapse of one year; otherwise let mention be made here that the bill is due after thirty days. In

¹ *CT*, IVa.

² *AbR*, p. 71.

³ *BT*, *Der.*, 17, and 333 in connection with 354.

⁴ *Tur*, *HM* 73:4.

⁵ *Ibid.*

⁶ *Cf. CT*, VIII, 36a, 37c; *cf. HG*, III, 56-57.

another place we shall show that also the Babylonians had more than one fixed date for payment. But leaving all this out of consideration for the present, we must ask here whence comes to Jewish law the institution of the "loan without terms as to payment," of which already the *Tosephta* and other tanaitic sources speak as if of one well known and recognized by all.¹

In Babylonia the institution of the "bill without terms" is well known.² In the banking system of the Babylonians the institution of the antichresis was a matter of daily practice.³ The creditor received from his debtor a fruit-bearing object and he enjoyed its fruits in lieu of interest. Naturally in such a transaction it is of a minor importance to stipulate when it should terminate: it depends on the nature of the pledge. Under such circumstances it is easy to understand how the institution of the "bill without terms" arose. But Jewish law does not legalize usurious transactions; the antichresis is prohibited. Clearly the Jewish jurists could not ignore the business customs of the land, so they recognized the Babylonian institution of the bill without terms and spoke of it as of one which no one knew whence it came and which no one questioned. The dependence of this tanaitic institution on Babylonian law is apparent.

The receipt, the written acknowledgment of payment of money or delivery of chattels, was highly developed in Babylonia. "Die Quittung hat schon eine exuberante Sinn. Sie ist nicht nur dazu da um den wirklichen Empfang des Geldes zu bestaetigen; sie ist eine Losung von der Schuld, mag nun die Losungs causa Zahlung, Erlass, Novation, Ueberweisung mit Zahlung an eine dritte sein, oder, welche sie wolle."⁴

According to Jewish law one who marries a virgin must write her a bill stating that if the woman be later divorced or widowed she should receive two hundred zuz or their equivalent out of his property. The parties to the contract are not at liberty to agree on a

¹ *Tosephta Bab. Mes.* 10:1, *Bab. Mak.* 3b.

² Cf. for the old Babylonian period: *HG*, IV, 873, 914, etc.; for the Assyrian period: *Johns, Deeds and Documents*, 37, 54, 32, 19, 239, or *AR*, 243-45, 25, 316, etc.; and for the neo-Babylonian period, *BT, Dar.*, 434, quoted above, is a good example.

³ Cf. Kohler, *BR*, I, 15 ff.

⁴ Kohler, *BV*, p. xxvii.

bill stipulating a sum smaller than the one mentioned above. In case the man and the woman agree that the former should obligate himself to pay, for instance, only one hundred zuz, the transaction must be made by means of the receipt.

Rabbi Judah says, if he desires, he writes to his virgin bride a bill of settlement of two hundred zuz and she issues to him a receipt stating: I have received from thee one hundred zuz [Mish. *Keth.* 5:1, and cf. *BJ*, *HM* 73:20 ff., etc.].

Leaving out of consideration the merits of the case, we notice that the Mishnah quoted above evidently presupposes an "exuberant" use of the receipt. For it is clear that the receipt issued to the husband is not a written acknowledgment of the payment of money or the delivery of chattels; it is essentially a release from an obligation. Yet its validity is taken for granted and it is spoken of as a matter of course. Why? It was the common law of the land for centuries.

Silim-Ištar assigns her property to her married daughter. As long as the donor lives she will enjoy the income. She cannot give the property to any other person. Upon the death of the donor the donee will come into the complete possession of the property. And even in the lifetime of the donor the property is no longer hers; it is completely in the possession of the donee; the former has only a claim upon the fruits of the property [*Nbk.*, 283].

The foregoing contract thus explicitly states that the donee secures the possession of the property immediately, while the donor has a claim upon the enjoyment of the fruits during the latter's lifetime. In the light of the foregoing contract we shall now read the following Mishnah:

He who writes his property to his children *retento usufructu* must explicitly state that the children acquire title to the property immediately, although they will enjoy its fruits only after the death of the donor—these are the words of Rabbi Judah; but Rabbi Jose says that it is not necessary to state it [Mish. *Bab. Bat.* 8:7].¹

What is the meaning of this difference of opinion? The legal situation before us is this: The institution of the *donatio retento usufructu* is well recognized; property donated under such circumstances immediately comes into the possession of the donee while the

¹ "Said Rab the law is in accordance with Rabbi Jose" (*Bab. Bab. Bat.* 136a).

donor retains his right to the income as long as he lives. Although all recognized this institution, in spite of that the contract contains an explicit clause to that effect. This being the legal situation in the land for centuries, some Jewish jurists maintained that a bill of a *donatio retento usufructu* must be drawn up exactly like the one current in the land, while other jurists, laying stress on the spirit of the institution, refused to regard the requirement of form as imperative.

The relation of Jewish to Babylonian law in the case before us is evident.

We have cited a dozen cases (to which number many more can be added, especially if we could afford to enter into lengthy expositions) to demonstrate that Jewish law, amoraic and tanaïtic, is directly related to Babylonian law. What is the nature of the relationship? Shall we say that the former "borrowed" from the latter and it is thus in a way a mere copy? Or can we maintain that there is no basis for the foregoing assertion, and that the relationship consists in the fact that Jewish law was "built" upon the legal and business customs of the land of the two rivers and its economic structure? Jewish law, we should then say, is entirely the work of the Jewish people, in the creation of which Babylonian legal and business customs, common law, entered as an element. If the case be so, how important was this element, what were the elements with which it combined, and what was the process; or, in a word, what are the elements and the structure of Jewish law? As far as Jewish commercial law is concerned, the writer plans to deal with this problem in another place.

A CONTRIBUTION TO THE KNOWLEDGE OF ASSYRO-BABYLONIAN MEDICINE

By H. F. Lutz
University of Pennsylvania

With the publication of the present text I entertain the hope that it will arouse not only the interest of the Assyriologist but also the interest of the medico-historian. The tablet from which the text is copied is in the possession of the Museum of the University of Pennsylvania (No. 19801). It contains prescriptions for sicknesses of the male urinary and genital organs. This medical tablet was for quite some time known to scholars, but owing to the difficulty of reading the exceedingly small script attempts to publish the text were given up. Besides this tablet the Museum owns two other medical texts, the one of which was also known as a medical text. It remains still unpublished and treats of sicknesses of the anus. The other one, a small tablet, was identified by the present writer as a medical text and the deciphering shows that it treats of a certain sickness of the bowels.¹

The present text is of neo-Babylonian origin and for paleographic reasons must be placed in the time of *ca.* 650–600 B.C., i.e., a few centuries anterior to the time when the great Hippocrates, the son of the Asklepiade Heraklides and of Phaenarete, wrote his famous medical treatises. The Museum catalogue has entered the remark that the tablet was acquired on the fourth expedition to Nippur, but a comparison of Nippur texts and their peculiar writing with our tablet makes it very doubtful that its provenance is Nippur. It bears so many marks in common with the tablets forming the Khabaza collection of the Museum that it must by a mistake have been entered as one of the acquisitions of the fourth expedition. On the assumption that the tablet was an original constituent part of the Khabaza collection rests the more or less exact dating above. The Khabaza material to a great extent contains prayers and hymns which bear the name of Shamash-shum-ukin, the son of the Assyrian king Essarhaddon, who ruled Babylonia as the contemporary of

Ashur-bani-pal. We also know that Shamash-shum-ukin imitated on a much smaller scale his more famous Assyrian neighbor, in collecting ancient cuneiform material and having copies made of them. Ample proof of this is found among the Khabaza material. Supposing therefore that the tablet was written under the reign of Shamash-shum-ukin, there remains however no doubt that this text also is but the sediment of much earlier texts, most probably a compilation of a distinct class of sicknesses, which may have been deposited in the library of the king or else was used as a textbook in schools.

Only the lower half of the tablet, which is of a reddish-brown color, is preserved. In its present condition it measures 110 mm. (height) by 119 mm. (width), and contains in all some 120 lines. The text so far as it is preserved enumerates eight different cases of sicknesses for which prescriptions are given. The therapeutic part occupies by far the greater space in this as in other medical tablets already published. No magical rites enter into the contents. Generally in one single line, or even less, with the exception of cases three and six, the symptom of the disease is stated and, without naming the disease itself, it proceeds immediately to the prescriptions. In the case of obv. col. 1 not less than twenty-one prescriptions are enumerated for a single disease. As was the case in Egyptian, Greek, and Roman, so also in the cuneiform medicine the Babylonian therapist is superior to his modern colleague in the multitude of his prescriptions.² In only one instance, case No. 3 (obv. col. 1, line 25) is the name of the disease itself stated and not merely the symptoms. The text reads: *amêlu šuûtu še-ša-am mariš*, i.e., 'that man is sick of *šešu*.' Professor M. Jastrow, Jr., has kindly called my attention to the Hebrew גִּזְיָה = gonorrhoea benigna, according to the dictionaries. It is not improbable that the Babylonian *šešu*, though not etymologically related to גִּזְיָה,³ may nevertheless imply the same meaning.

I have below placed together the different symptoms contained in the text for a more convenient study and have tried to range them according to our modern medical terminology. For the conjectures as to that to which the symptoms may refer, I am indebted to the kind help of Dr. Rivas, professor of bacteriology at the University of Pennsylvania. It must, however, be kept in mind that it is extremely difficult from the short description of the sickness and, in the case of No. 8, of the fantastic way of description, to pass a

final judgment on what in each and every case was really described by the Babylonian diagnostic. We must also not lose sight of the fact that the Babylonians as well as their contemporaries mixed up many diseases where modern medicine makes very clear distinctions. Further publications of texts of the same classes of diseases which will undoubtedly be forthcoming in the future will help considerably to shed new light on the text.

Symptom 1: *šumma amēlu ta-at-ti-qam ša šināti mariš*, i.e., 'If a man is sick of incontinence of urine.' A clear case of enuresis.

Symptom 2: *šumma amēlu ša-a-ši tu-nam un-nu-ud ù ma-gal ittebi*^(b), i.e., 'If that man's *tunu* bleeds without cessation and it protrudes exceedingly.' Either a case of vesical hemorrhage (bladder) or more probably either acute cystitis or traumatism of bladder—parasites—schistosoma hematobium.

Symptom 3: *šumma amēlu šēr kirib SU.KA plus X-šu biri-šu ulappat-šu u šināti-šu ba-ṭa-il išid birki-šu miti ú-kal-la-ma amēlu šuātu še-ša-am mariš*, i.e., 'If a man's flesh of the interior of his scrotum (? or bladder ?) turns upside down and his urine is stopped, the "foundation" of his "dead" penis is closed up, that man is sick of "flow of seed." A case of cystocele or hernia (or spermatorrhoea ?).

Symptom 4: *šumma amēlu abnam mariš*, i.e., 'If a man is sick of stone.' Vesical calculi.

Symptom 5: *šumma amēlu ina birki-šu ú-tab-ba-kam kima aššāti*, i.e., 'If a man discharges blood from his penis like a woman.' Periodical hematuria, a tropical(!) disease due probably to climateric conditions—parasites (filaria, schistosomiasis).

Symptom 6: *šumma amēlu ina šitti(?) -šu i-na alaki-šu ri-ḥu-uš-šu illak-ma la idi ša ana aššāti-šu illik-ma ba-aš-ra ru'ti birki-šu u bu-bu-ul ma-li*, i.e., 'If a man in his sleep (?) (or) in his walking has seminal discharge and he does not know that he went to his wife and his penis and his "cloth" are full of seminal fluid.' Spermatorrhea (wet dreams).

Symptom 7: *šumma amēlu šēpi-šu mariš*, i.e., 'If a man's "foot" is sick.' Prostatitis—enlargement of the prostatic gland common in old age following chronic gonorrhoea, etc.

Symptom 8: *šumma amēlu šēpi zuqaqipu ibaluṭ*, i.e., 'If (in) a man's "foot" lives a scorpion.' Cases of cystitis, prostatitis, strictures, orchitis may produce such symptoms.

TRANSLITERATION

Obverse, First Column

- ki 16: *lilma⁴ ina mē išati-ma ibaluṭ*
 ki 17: *qēm šammu nam-ri⁵ zikari qēm šammu ašaga ašaši⁶ ina šikari ba-lum pa-tan išati-ma ibaluṭ*
 ki 18: *qēm še'im qēm šammu ašagi ina šikari išati-ma ibaluṭ*
 ki 19: *šammu IM.GAR.ŠI⁷ kimin*
 ki 20: *šammu karan siliḫi piša tamaḥaš ana tabati ū šamni tanadi ina kakkabi qarabi išati-ma ibaluṭ*
 ki 21: *šammu dimat libbi⁸ ina šikari ū šizbi tuballal ba-lu pa-tan išati-ma ibaluṭ*
šumma amēlu ta-at-ti-gam⁹ ša šināti mariš išten qa muššaripam¹⁰ ipri mullili immeri zikari¹¹ išten qa muššaripam¹⁰ nam-ri zikari ba-lum pa-tan itti¹² šina¹² lašani išati-ma umu ḥamištu^(kam) ka-la u-mi lašam išati-ma ibaluṭ
šumma amēlu ša-a-ši tu-nam¹³ un-nu-ud¹⁴ u ma-gal ittebi^(bi)¹⁵ zēr i^u bini zēr šammu lišan kalbi^{riqqu} murra tamaḥaš ana kurunni tanadi ina kakkabi qarabi ina šerim ba-lum pa-tan išati-ma ibaluṭ
 kinim: *šammu EL¹⁶ šammu NIGIN¹⁷ riqqu IM.DI¹⁸ šammu lišan kalbi piša tamaḥaš šum-ma i-na karani šum-ma i-na šizbi šum-ma i-na šikari lašam išati la i-za-kim¹⁹ ina umi šalaši^(kam) umi išten^(kam) išati-ma ibaluṭ*
šumma amēlu šēr kirib SU.KA plus X-šu²⁰ biri-šu ulappat-šu²¹ ū šināti-šu ba-ṭa-il²² išid birki-šu miṭi²³ ū-kal-la-ma amēl šuātu še-qa-am mariš šina šiglu ḫi²⁴ ba-lu ṭe-im šina qa tabata išleni²⁵ ina šuparrati pa-lu-rum tanadi^(di) šamna bašma²⁶ šizba ma-al-ma-liš tuballal mi-iš-lam ina mūt^(u) lišani²⁸ šubata titirri ana amēli umṣāt²⁷-su ta-ša-pak [. . .]-im ina kurunni tuballal ina kakkabi qarabi ba-lum pa-tan išati-ma ibaluṭ

Obverse, Second Column

- šammu zēr lišan kalbi piša tamaḥaš ina kurunni tar-sa-an itti zēr balluki²⁸ tuballal ba-lum pa-tan išati-ma ibaluṭ*
 kinim: *riqqu murra aban šammu ŠA.MAN²⁹ šammu dimat libbi [. . .] zēr šammu lišan kalbi zēr šammu ašagi ašaši [. . .] aban ŠAG.DIŠ.AZ³⁰ LA pir'i aribi^{bu}³¹ šammu X šammē³² an-nu-ti išleni²⁵ tamaḥaš ina kurunni ba-lu pa-tan išati-ma [. . .] ina mūt^(u) lišani šubata titirri ana amēli umṣāt-su tašamid ina mē bašli ir-ta-na-ḥas ū tur-ra-am³² tu-ba-ḥar ibaluṭ*
 ki 3: *šammu lišan kalbi piša tamaḥaš ina kurunni tar-sa-an ina kakkabi qarabi ba-lu pa-tan išati-ma ibaluṭ*
 ki 4: *šamna erini tabata tuballal ana X tanadi ina mūt^(u) lišani šubata titirri ana amēli umṣāt-su tašamad ina umi šalši^(kam) ū-ga-am-ma-ra-am-ma ibaluṭ*

- ki 5: MA³³ ù šināti-šu šammu za-nu riqqu murra tamaḥaš itti ku-ru-un šikari šammu SA ù šizba bašla tuballal a-na ša-ap-ti-šu³⁴ tanadi-ma ḥinḡa³⁵ it-[tar-pa-aš]³⁶ abnam i-ša-aḥ-ḥu-uḥ³⁷
- ki 6: riqqu murra tamaḥaš ana šikari šalašu (kam) sa-am(?) [.] ina kakkabi qarabi ina še-ri iṣati-ma ibaluṭ
- šumma amēlu abnam marriṣ mē i^{qu} eriṇi i^{qu} šurmēna riqqu murra passu³⁸ riqqē ḡun ka-li-šu-nu tuballal ina arḫi maḥri (kam)³⁹ ana murṣi iṣati-ma i-na dimat eni titirri ana amēli umṣāt-su tašapak BAT [.] ru-ub-ṣum i-di-ik-ki-e⁴⁰ [.] murṣa la idi ú-ṭa-ab-šu riqqa šammu lišan kalbi ikkal-ma ibaluṭ

Reverse, Third Column

- kimin: šammu DU(?) šammu ašagi ašaši [. . .] tamaḥaš tu-[.] ina muḥḫi tulabbaš-ma ibaluṭ
- ki 3: zēr šammu lišan kalbi šammu ḥul-ti-kil-la⁴¹ piša tamaḥaš ina šamni tanadi iṣati-ma ibaluṭ
- ki 4: šammu ḤUL.ḤAB ina šikari iṣati-ma ibaluṭ
- ki 5: šammu lišan kalbi ša ina tebi pani i^{lu} Šamaš la iptur [. . . .] piša tamaḥaš ana šikari muttaggiši tanadi ina kakkabi qarabi ba-lum pa-tan iṣati-ma ibaluṭ
- ki 6: šammu karan silipi ana šikari amēl muttaggiši tanadi ina kakkabi qarabi iṣati-ma ibaluṭ
- ki 7: ḥa-lu-la-a⁴² piša tamaḥaš ina karani la mubbib la muzammir iṣati-ma ibaluṭ
- ki 8: LA pir'i aribi bu šammu X šammu nu-za-ba-ta šammu ašagi ašaši [. . . .] šammu azalla umi siba (kam) šammē ḡun annāti ina a-ka-lum ù kurunni tuballal iṣati-ma ibaluṭ
- ki 9: zēr šammu ašagi ašaši šammu ŠA.MAN ištēniš tamaḥaš ana karani tanadi i-na kakkabi qarabi iṣati-ma ibaluṭ
- ki 10: aban za-la-kum aban ka-gi-na nu-za-am-[mir] an-ne aban ŠĀG.DIŠ.AZ riqqu murra LA i^{qu} nu-ur-ma⁴³ LA pir'i aribi bu an-ne⁴⁴ ṣalma zikara ù šinništa šammu dimat libbi zēr i^{qu} bini imbā tamtim⁴⁵ šammu ŠA.MAN šammu TAR.MUŠ šammu ašaga ašaši zēr šammu lišan kalbi šammu lišan kalbi zēr šammu DIL ištēniš ta-ša-ḫal tamaḥaš ina šamni ù šamni bašmi tuballal ana pan kakkabu IB qarabi ina še-ri lašam iṣati LA ša nāri ù mē bašla [.]

Reverse, Fourth Column

- kimin: ara bini arqi šammu maštakal ḡu-niḡ-ḡar-ra⁴⁶ ištēniš taḥašal tašamid-ma ibaluṭ
- šumma amēlu ina birki-šu damam ú-tab-ba-kam kima aššāti i^{qu} ku-ku-ban(?) ḡu-niḡ-ḡar-ra šammu nuḥurta uḫula qarani ina šikari tašapak amēlu lašam iṣati-ma ibaluṭ

šumma amēlu i-na šitti(?) -šu^a i-na alāki-šu ri-ḥu-uš-šu^{as} illak-ma la idi ša
ana aššati-šu illik-ma ba-aš-ra ru'ti^{as} birki-šu ù bu-bu-ul^{as} ma-li 𐎶𐎵
ipri aban šadi uḫulu qarani ina šamni tuballal ina māt^(u) lišāni ḡubata
titiirri ana amēli umṣāti-šu tašamid ù ina šamni ù šikari tuballal
išati-ma ibaluḫ

šumma amēlu šēpi^{as} -šu mariš ašagi la-du^{as} tamaḥaš ina šikari išati-ma ibaluḫ

šumma amēlu šēpi zuqaqipu ibaluḫ ina karpati dannī šamni ella ana karani
tanadi umi 14^{kas} namurat^{as} um^{as} la tim-mi-ir qata tubbal^{as} -ma išati-
ma [.] uḫulu qarani ašagi la-ta-am piša tamaḥaš ana libbi

tuballal ŠEŠ^{as} -šu ù ša-pu-li^{as} -šu tanaši ù qabla tukanni išati-ma ibaluḫ
kimin: lišan šangi^{as} ša ri-aq^{as} i-ār tamaḥaš ina šamni tanadi i-na šikari išati-ma
ibaluḫ

ki 3: mu-ur-ra^{as} ḥa-ti-la^{as} ḡēm labira birki-šu ana appi ša idi^{as} tudammaqu
ana nār ibbir(?) -ma ibaluḫ

ki 4: kallat Ištār(?) maštakal ašagi la-ta ša eqli ina šizbi ù X tu-šap-šaḫ
išati-ma ibaluḫ

ki 5: ia-ra-ra ga-ta zikara ša eqli [.] išati-ma ibaluḫ

TRANSLATION

Obverse, First Column

Ditto 16: He shall drink *kilmu* in water and he will recover.

Ditto 17: He shall drink in wine, without food, powder of the male thorny
root and the powder of the fish-worm thorn and he will recover.

Ditto 18: He shall drink in wine grain-flour (and) the powder of the thorn-
plant and he will recover.

Ditto 19: The *IM.ĜAR.ŠI*-plant likewise.

Ditto: 20: Thou shalt grind purified 'fox-wine,' thou shalt add it to wine-
water and oil. He shall drink it at the approach of the star and he
will recover.

Ditto 21: Thou shalt mix 'heart's tear' with wine and milk. He shall
drink it without food and he will recover.

If a man suffers of incontinence of the urine, he shall drink each day for five
days one *qa* of roasted refined scap of the male sheep and one *qa* of
roasted male thorny root without food in two potions. He shall
drink the beverage and he will recover.

If that man's *tunu* bleeds without cessation and it protrudes considerably,
thou shalt grind the seed of the tamarisk, the seed of the cynoglosson
and the bitter-plant; thou shalt throw it into wine. At the approach
of the star, in the morning, he shall drink it without food and he
will recover.

If it is the same case: Thou shalt grind *EL*-plant, the root of *IM.DI* and
white cynoglosson. Either in sweetened wine or milk or in wine he
shall drink the potion. He shall not take cold. For three days
daily he shall drink it and he will recover.

If a man's flesh in the interior of his scrotum(?) turns upside down and his urine is stopped, the foundation of his dead penis is closed up, that man is sick of 'flow of seed.' Thou shalt mix in equal portions two shegels of bitter-plant two shegels of *HIL* without taste, two *qa* of wine-water, aromatic oil and milk. One half thou shalt smear (on) a cloth upon the point of the 'tongue.' Thou shalt pour it on the man's sore. Thou shalt mix X in wine. At the approach of the star he shall drink it without food and he will recover.

Obverse, Second Column

White seed of the cynoglosson thou shalt pulverize; thou shalt moisten (it) in wine. With the seed of the *balluku*-plant thou shalt mix it. He shall drink it without food and he will recover.

If it is the same case: Bitter-plant, the stone of the *ŠA.MAN*-plant, heart's tear-plant, the seed of the cynoglosson, the seed of the fish-worm thorn, the stone of the *SHAG.DISH.AZ*-plant, the *LA*-plant of the offspring of the raven, X-plant, all these plants thou shalt grind together. In wine without food he shall drink it. Thou shalt smear a plaster on the point of the 'tongue.' Thou shalt apply a bandage unto the man's sore. With boiled water he shall rinse himself off and the *turru* thou shalt cool off and he will recover.

Ditto 3: Thou shalt grind white cynoglosson, in wine thou shalt moisten it. At the approach of the star without food he shall drink it and he will recover.

Ditto 4: Cedar-oil (and) wine-water thou shalt mix. To wine (?) thou shalt throw it. On the point of the 'tongue' thou shalt smear a plaster. Thou shalt apply a bandage unto the man's sore. On the third day it will come to a completion and he will recover.

Ditto 5: The excrements(?) and his urine, *zanu*-plant, bitter-plant thou shalt grind. With grape-wine, the wine of the *SA*-plant and cooked milk thou shalt mix it. On the 'lip' thou shalt put it, then the narrows will widen, the stone he will pass off by urination and he will recover.

Ditto 6: Bitter-plant thou shalt grind. To wine three (thou shalt throw?). At the approach of the star in the morning he shall drink it and he will recover.

If a man is sick of stone, thou shalt mix cedar-water, cypress, bitter-plant, *passu*-cane. All these herbs the 'tear of the eye' thou shalt smear. Thou shalt pour it on the man's sore dung pain he will not know. It will restore him. The root of the cynoglosson he shall eat and he will recover.

Reverse, Third Column

- If it is the same case: *DU(?)*-plant, fish-worm thorn thou shalt crush. . Thou shalt The on the top thou shalt cover and he will recover.
- Ditto 3: The seed of the cynoglosson, white *hulikillu*-plant thou shalt grind, in oil thou shalt throw it. He shall drink it and he will recover.
- Ditto 4: Stink-cucumber in wine he shall drink and he will recover.
- Ditto 5: Cynoglosson, which at the approach of the sun did not split open, white X-plant thou shalt grind. To the wine of the wine-dresser thou shalt throw it. At the approach of the star without food he shall drink it and he will recover.
- Ditto 6: 'Fox-wine' plant thou shalt throw to the wine of the wine-dresser. At the approach of the star he shall drink it and he will recover.
- Ditto 7: White *halulia*-plant thou shalt grind. In wine, neither purified nor clarified, he shall drink it and he will recover.
- Ditto 8: The *LA*-plant of the offspring of the raven, X-plant, *nuzabatu*-plant, fish-worm thorn, 'tear-plant' for seven days thou shalt mix these plants in food and wine. He shall drink it and he will recover.
- Ditto 9: The seed of the fish-worm thorn, the *SHA.MAN*-plant together thou shalt grind. To wine thou shalt throw it. He shall drink it and he will recover.
- Ditto 10: The stone of the *zalakum*-plant, the stone of the white cynoglosson, *anne*-plant, the stone of the *Shag.Dish.Az*-plant, bitter-plant, *LA*-plant, figs (?), the *LA*-plant of the offspring of the raven, dark *anne*, male and female, heart's tear-plant, the seed of the tamarisk, scylla maris, *SHA.MAN*-plant, *TAR.MUSH*-plant, fish-worm thorn, the seed of the cynoglosson, cynoglosson, the seed of the *DIL*-plant together thou shalt filter, thou shalt grind them. In oil and fragrant oil thou shalt mix (them). At the approach of the star *IB* in the morning he shall drink the potion. *LA*-plant of the river and cooked water.

Reverse, Fourth Column

- If it is the same case: Thou shalt crush together the sprout of the green tamarisk, the *mashtakal*-plant and *ripsu* (?) -grain. Thou shalt bandage him and he will recover.
- If a man discharges blood from his penis like a woman, thou shalt pour *kukuban* (?) -plant, *ripsu* (?) -grain, *nuhurtu* and horned alkali in wine. The man shall drink the potion and he will recover.
- If a man in his sleep (?) (or) in his walking has seminal discharge and he does not know that he went to his wife and his penis and his 'cloth' are full of seminal fluid, thou shalt mix in oil 'clay of the dust of the mountain-stone' and horned alkali. Thou shalt smear a plaster

on the point of the man's 'tongue.' Thou shalt pour it on the man's sore. And in oil and wine thou shalt mix it. He shall drink it and he will recover.

If a man's 'foot' is sick, thou shalt grind *latu*-thorn. In wine he shall drink it and he will recover.

If (in) a man's 'foot' lives a scorpion, thou shalt throw pure oil to wine in a strong vessel. For fourteen days thou shalt not expose him to the brightness of the heat. Thou shalt treat him and he shall drink Horned alkali, white *latu*-thorn thou shalt grind; thou shalt mix it therein. His *SHESH* and his *shapulu* thou shalt raise and the middle-part thou shalt nurse carefully. He shall drink it and he will recover.

If it is the same case: Priest's tongue of the *iār*-plant thou shalt grind. To oil thou shalt throw it. In wine he shall drink it and he will recover.

Ditto 3: Bitter-plant, *batilu*-plant old grain-flour. His penis thou shalt cleanse on the top of the 'hand.' To the river he shall cross over(?) and he will recover.

Ditto 4: 'Bride of Ishtar(?)', *mashtakal*-plant, *latu* thorn of the field in milk and X thou shalt dissolve. He shall drink it and he will recover.

Ditto 5: *Iararu*-plant, male *gatu*-plant of the field he shall drink it and he will recover.


NOTES

1. Will be published in a forthcoming volume of the author.
2. See von Oefele, "Keilschriftmedizin in Parallelen," *Der Alte Orient*, IV, 7.
3. זָבֹו = Assy. *zābu* 'to flow'; and the name of the river Zābu.
4. For the reading of *im saġar ge kur-ra=lil(?)*-mu cf. 5 Rawl. 27, 19 e.f. and Kuechler, *Medizin*, p. 144. Literally: 'the clay of the dark mountain dust.'
5. *šammu nam-rum*; cf. *CT*, XIV, Pl. 19, col. 2, lines 10 and 11.
6. Written *gir uġ-ġa-aġ*; on *uġ-ġa=ašdāšu* cf. *CT*, XIV, Pl. 2, K. 71 A, rev., line 40. *uġ-ġa* and *uġ-ġa-aġ* are probably identical. Assyrian *ašdāšu*=Hebrew שָׂדֵשׁ, Arabic شَاعِر=moth. The Sumerian *uġ-ġa*=fish-worm. Cf. however also *CT*, XIV, Pl. 25, lines 20 and 21, *šammu gir ġa-aġ=bukuddu*.
7. Cf. *IM.ĠAR* in *KM*, 191, 4:52 and *šammu IM.ĠAR MAN.BURU*, *KM*, 71, col. 1:53.
8. Written *er-ri šāg*.
9. *ta-at-ti-gam*, a noun formation with *t*-preformative of the root *etlqu*, which occurs here for the first time. *Ta-et-ti-qu=tettiqu=tattiqu*. *Tat(t)iqu*, or, *tet(t)iqu* seems to be a medical term with reference to the

passage of the urine. As a pathological term, however, it cannot mean anything else but 'incontinence,' i.e., of the urine. Notice that the symptom or the sickness is stated in the accusative case throughout the tablet.

10. *NE, BIL*; the transcription by *muššaripu* is doubtful. If not taken as a noun, we should expect it to follow the noun. The reading of *riqqu* is excluded, as in both instances the scribe plainly wrote *BIL*.
11. *saġar azag udu nita* has been transcribed by *ipru mullilu immeri zikari*, the refined '*ipru*' may refer either to the sheep's dung, or else to the scap of excrements which settles on the wool of the sheep. For *ipru* in the sense of scap, scald, compare Dennefeld, *Babylonisch-Assyrische Geburtssomina*, Tafel 16, a 17: *šumma izbu ina budê-šu epra iši-ma libbê^{pl}-šu innamru^{pl}* etc., 'If a monster has scap on its *budu*, and its intestines are visible.'
12. Can hardly have here the sense of *kimin* = ditto. *Itti šinā lašani* perhaps corresponds to our 'two spoonfuls.'
13. *tunu*, a new word. Obviously the name of an internal part of the penis or the bladder.
14. *un-nu-ud* has been compared with the Arabic *عند* = to bleed without being able to staunch it; cf. *عند العرق اذا سال فلم يرقاء*. See however also *anadu*, which occurs in the astrological texts published by Thompson, to which Professor Jastrow drew my attention.
15. *ZI.ZI.BI* I had first transcribed by *ušašhapšu*, 'and it causes him to urinate greatly or frequently,' but Professor Jastrow's objection to the reading of *BI* as a pronominal suffix has induced me to adopt the most common reading of *ZI* = *tēbu*, followed by the phonetic complement *bi*.
16. *šammu EL*, cf. *CT*, XIV, Pl. 39, *RM*, 352, rev., line 8; Pl. 42, K 8807, line 2 *et al.*
17. *šammu NIGIN, KM*, 191, 2:4 reads *šammu HAB*. This plant however seems to be identical with *šammu NIGIN* *ar* in *KM*, 71, 3:21.
18. *riqqu IM.DI*; cf. *KM*, 61, 1:3.
19. The tablet adds in the form *i-za-kim* a new verb to the Assyrian dictionary. It has been compared to the Arabic *زكم*, to take a cold. Cf. also *زكام* and *زكمة*, 'cold, rheum.' In view that we have here to do with genital matters it may have here perhaps the second meaning of *زكم* = to spout, to sputter, as for instance *زكم بنطفته اذا رمى بها*.
20. *SU.KA* plus X; there is only one stroke to be seen inside *ka*. As the script is so very small, this stroke may have been intended for a more complicated sign. The ideographic writing may denote either the bladder or the scrotum.
21. *šu* after *ulappat* is redundant.

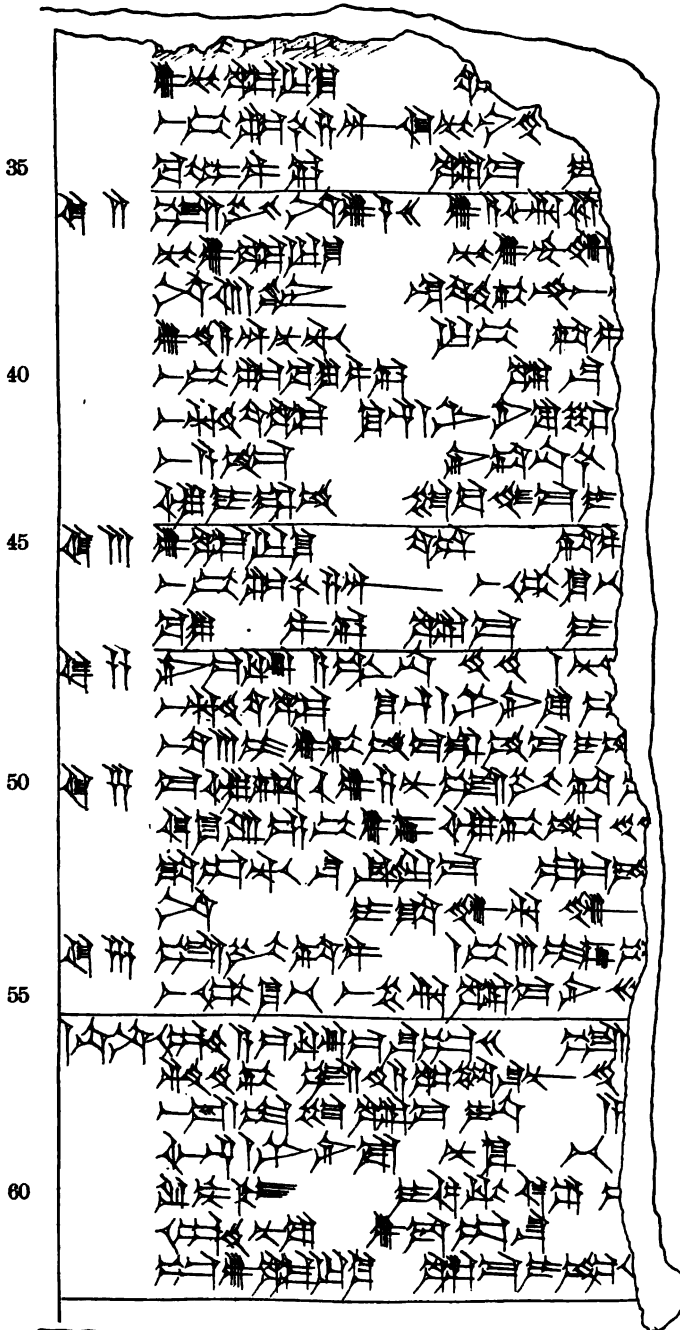
22. *ba-ta-il*; the scribe intended to write *ba-ti-il*; as he had already made the mistake of writing *ta* he first seemed to have written down *al*, which he changed to *il*, without correcting *ta* to *ti*. Cf. also the writing of *ba-ta-il* in the dissertation of Jeremias.
23. Cf. Lehmann, *Šamash-šum-ukin*.
24. On A.DAN = *hi-il* compare *RM*, 367, etc., vs. 24 (Meissner Supplement) and *KM*, p. 147 (*Nachtraege und Berichtigungen*).
25. *Barag-ga* transcribed by *bašamu* = 'sweet-scented oil' following Zimmern, *Beitraege*, p. 98, l. 46. So also Kuechler. Professor Jastrow suggested to me the transcription of *šaman parakki* = 'temple-oil,' which is also one of the possibilities.
26. On *lišanu* in a figurative sense see *OLZ* (1909), p. 340, and Holma, *Koerperteile*.
27. *NI* = *umšatu*, see Holma, *Koerperteile*, p. 7.
28. *MUK* generally with the determinative *ŠIM* = *riqqu*; *BR*, 5166, *RM*, 367, v. 21 (Meissner Supplement); *KM*, 191, 2:15; *ZA*, 15, p. 421.
29. *šammu* *ŠA.MAN* occurs three times in this text. I am unable to find this plant elsewhere. Can hardly be a scribal error for *šur.man* = *šurmēnu*.
30. Occurs here and rev., col. 3, line 22.
31. Written *LA NUNUZ-GA ŠIR* ^{bu}. In *KM*, 61, 4:13 occurs the writing *LA NUNUZ-GE ŠIR* ^{bu} and again, line 20, without *LA*. With these passages cf. also *KM*, 71 b, 4:17; the writing *si* *LA ŠA-KA* plus *IM-na* ^{ba}. *LA* alone occurs in our text, rev., col. 3, line 23, before *nu-ur-ma* = the fig (tree?). *LA* or *nu* *LA* therefore is the name of a plant. That *si* *LA* could contain the word for 'fish-bone' as Kuechler conjectured (p. 127), is excluded. He did not recognize that the *LA* in *LA NUNUZ GE-ŠIR* ^{bu} of his texts is identical with the *si* *LA* in *si* *LA ŠA KA* plus *IM-NA* ^{ba}. For *LA* = *išhilqu* compare Meissner, *SAI*, 605, and Zimmern, *Šurpu*, VIII, 34(?). See also Meissner, *SAI*, 519; *nunuz* = *pir'u*, *pilu*; *ŠIR* ^{bu} probably belongs to the same class of birds as *ŠIR.BUR* ^{bu} = *artbu* = raven. Cf. also *ŠIR.BUR.LUM* ^{bu}, *ŠIR.ŠE.ZER* ^{bu}, *ŠIR.GAZ* ^{bu} and *ŠIR.UŠ* ^{bu} in *CT*. XIV, Pl. 12, 36669, lines 1-4.
32. *Tur-ra-am* or *i-ra-am* is possible. If *tur-ra-am* is to be read we may regard it as a loan-word from Sumerian (*lù*) *tu-ra* = 'sick person, patient.'
33. With *MA* compare *MA* in *KM*, 191, 2 line 7: *inuma MA iššabtu-šu* = 'If the *MA* seizes him.' According to our text it can hardly be the name for a part of the body. In view that it occurs together with *šinātu*, one is inclined to take *MA* as 'excrements.' *Inuma MA iššabatu* might therefore refer to the difficult passing of the stool. '*MA* is plainly written on the tablet, so the reading of *KU* is excluded. But *ma* and *ku* may be synonyms. For *ku* = excrements compare *CT*, XXVIII, Pl. 41,

- K 8821, line 10: *šumma kimin ku-šu iz-zi . . .* 'If ditto squirts his excrements.' See also Holma, *Koerperteile*, p. 9, and p. 68, note 1.
34. *šaptu* like *lišānu* here part of the penis.
35. For *BAD*=*hingu* compare *CT*, XII, 12, 39 *a* and Meissner, *SAI*, 2908. Such a word is expected here according to the context.
36. Restore *ū-[tar-pa-aš?]* This gives perfectly good sense in connection with the following *abnam išahhūh*.
37. *i-ša-ab-ḥu-uh*; Assyrian *šahāhu*=Arabic =Egyptian *wsš*, which is the common word in Egyptian for 'to urinate.' On the etymology of this verb compare Albright, in *AJSL*, XXXIV, 4, p. 227.
38. *GI DUG.GA* according to *CT*, XIV, Pl. 49,36481, rev., line 7, not to be transcribed by *qān tabu* but *pa-as-su*; note also that *GI PAD.DA* has the same Semitic value. Cf. Pinches, *JRAS* (1898), p. 444, on *passu*.
39. For the belief that the first month is particularly favorable for the healing of diseases see von Oefele, "Keilschriftmedizin in Parallelen," *Der Alte Orient*.
40. *rubšu i-di-ik-ki-e*; cf. *ZA*, 9,276; *rubši šiprati* in *RT*, XXIII, p. 135.
41. Restored from *CT*, XIV, Pl. 4, col. 2, line 37; Pl. 22, col. 8, line 1; Pl. 33, K 14077, line 5.
42. Written *ḥa-lu-la-ia* in *CT*, XIV, Pl. 23, K 259, line 5.
43. *nu-ūr-ma* probably the fig tree according to Delitzsch, *Sum. Glossar*, p. 207.
44. *an-ne*, and *an-ne ḡalmu zikaru u šinništu* in the same prescription; cf. Delitzsch, *Sum. Glossar*, p. 206.
45. Restore *ka a-ab-ba* according to *KM*, 71, 3, 53 and *CT*, XIV, Pl. 25, K 4398 plus 4418, obv., line 3: *šammu ka a-ab-ba*. The reading of *šinnē tamti*=Meerzahn, which Kuechler adopted, is according to this passage wrong. *Ka a-ab-ba*=*im-bu-ū tam-tim*. Probably to be identified with the *scylla maris* according to information from Professor W. Max Mueller.
46. *gū nig-ḡar-ra* perhaps to be read *ripsu*. See Zimmern, *RT*, No. 41-42, st. 1, 27; in *KM*, 191, 2:5 occurs the reading *nig-ḡar-ra*.
47. Text reads plainly *ad*. According to a suggestion of Professor Jastrow the reading of *ū* has been adopted in the transliteration and translation. A scribal error?
48. *riḥutu* which generally means 'begetting, generation,' but also 'that which is begotten,' as for instance in Zimmern, *RT*, *ri-ḥu-ut amēl nisakki*= 'aus priesterlichem Gebluet,' and Dennefeld, *Geburtsomina*, I, obv., line 33: *riḥut ū Šulpaē*= 'Das Erzeugnis des Gottes Shulpaē,' must in this passage have a third meaning, 'the material by which is begotten,' i.e., semen.
49. *ba-aḡ-ra UG* transcribed *ba-aḡ-ra ru'ti*. The translation is free, but undoubtedly correct. *Baḡru* is related to *biḡsuru*, which latter however

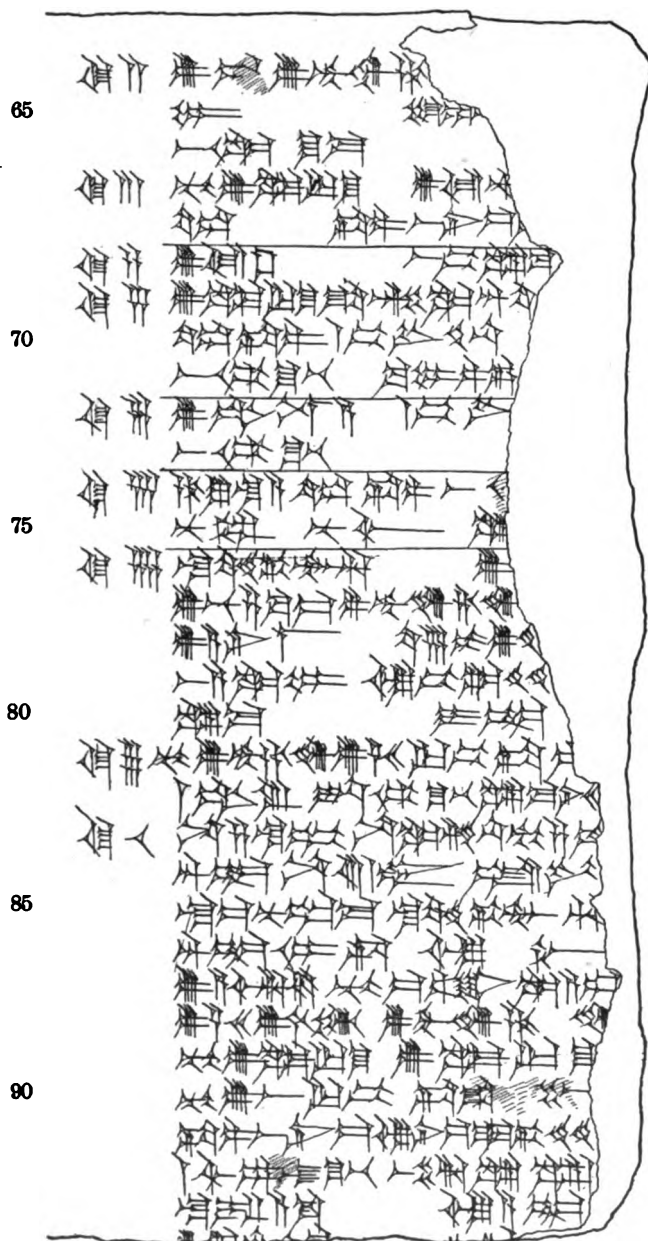
refers only to the female nudities. Cf. also Arabic بَظَر = clitoris, بظارة clitoris, and the verb بظر. *Baṣru* possibly a generic name for nudities, privy parts irrespective of sex.

50. *Bubul* as far as I know occurs here for the first time. Is hardly the name of a part of the body. Perhaps a *fu'ul* noun formation of *babalu* 'to carry' on the analogy of *lubušu*, *lubuštu*. I am indebted to Professor W. Max Mueller for the conjecture that *bubul* may be the Babylonian word for 'cloth, sanitary diaper,' which was worn by the patient like the menstruation-cloth, only during the time of the sickness. On monuments and seals we will therefore not meet with this piece of 'garment.'
51. *šēpu* like *lišānu* and *šaptu* a special part of the penis.
52. *Ašagi la-la-am*, written *ašagi la-ta ša eqli* = wild-growing *latu-thorn*, in col. 4, line 118. Cf. *CT*, XIV, Pl. 45, K 4152, rev., line 33, *la-a-tum*.
53. *Uk = pirig = namrum*, *CT*. XII, Pl. 6, col. 2:19, and Delitzsch, *Sum. Glossar*.
54. *um* supply *mi = ummu* heat?
55. *gata tubbal*, an idiomatic expression.
56. *ŠEŠ* = name of a part of the body.
57. *šapulu*, name of a part of the body; cf. *CT*, XXVIII, Pl. 27, rev., lines 24 and 25, *ša-pu-ul imitti* and *ša-pu-ul šumēli*. *Šapulu* not necessarily a member of the body which occurs in pairs; cf. for instance *CT*, XXVIII, Pl. 27, K 3985, rev., lines 16 and 17 where we meet *ina birki-šu imitti* and *šumēli*. This has simply reference to the right and the left side of the penis. Cf. also *CT*, XXVIII, Pl. 27, rev., lines 20 ff., 3985, *biššuru imitti* and *šumēli*. See Holma, *Koerperteile*, p. 161, and Meissner, *Supplement*, p. 97 a.
58. *RIT* may here equally have the meaning of *idlu* or *pisannu*.
59. Notice the phonetic writing of *ŠEŠ* = 'bitter-plant.'
60. With *batilu* compare *šammu ba-di-lu* in *CT*, XIV, Pl. 18, K 4354, obv., line 4.
61. *idu*, part of the penis.

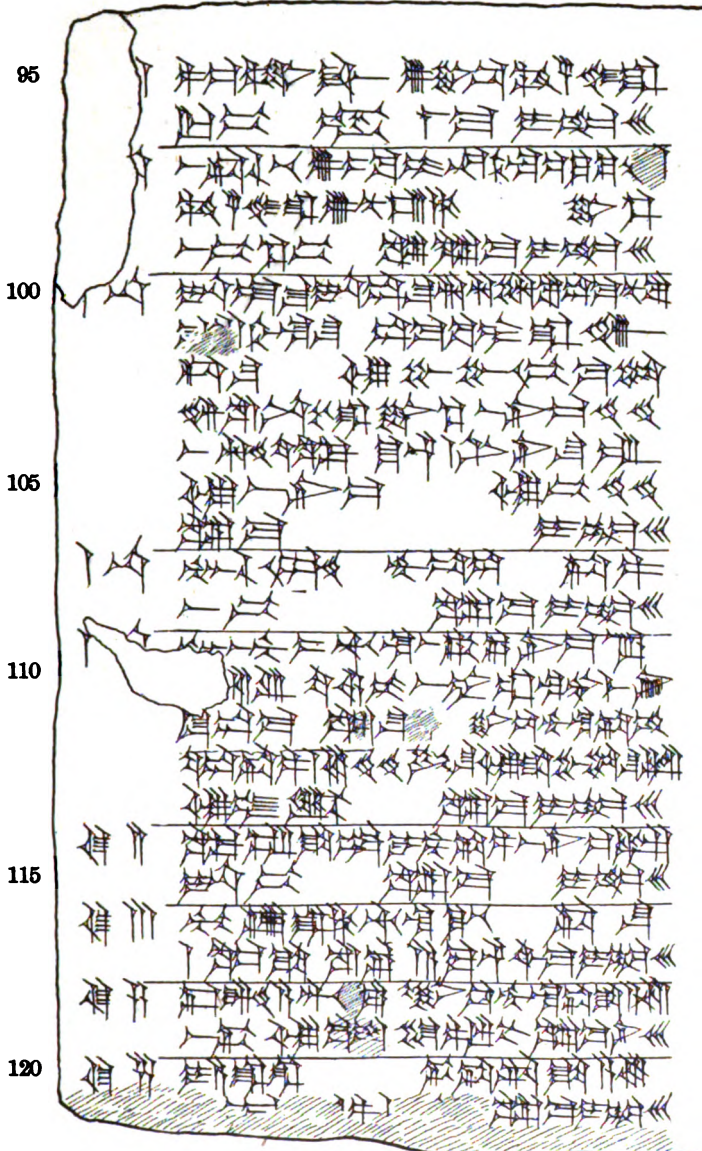
OBVERSE
Second Column



REVERSE
Third Column



REVERSE
Fourth Column



Critical Notes

A NEW UNCIAL OF THE GREEK PSALTER¹

Of the four biblical manuscripts acquired by Mr. Freer, of Detroit, Michigan, and eventually to be placed in the Smithsonian Institution at Washington, D.C., the uncial containing the Psalter was in a quite decayed condition at the time of purchase, so much so that with the exception of a few leaves at the back pretty nearly the leaves of the entire codex formed one solid mass of glue-like substance. Professor Sanders deserves great credit for the manner in which he went about separating the leaves. He tells us that a careful and repeated collation of the upper side of each leaf was made before starting to separate it; the underside was likewise collated as soon as removed. Much was naturally lost during and since separation, and the manuscript in its present condition shows one or two less letters to the line than was read by Professor Sanders. It is needless to say that the editor has likewise shown himself a most painstaking and well-informed paleographer. His previous record with the Washington Manuscript of Deuteronomy and Joshua is fully matched by the present discussion of all the points that pertain to the externals and have a bearing on the dating. The bulk of the manuscript (A) is assigned to the fifth century (preferably first half), while the latter part from Ps. 142:5c on (A^a) written by a different hand is placed in the eighth. Aside from missing or wholly decayed leaves, over half of each leaf is damaged. There are several leaves relatively best preserved, and on Plates VII and VIII we have a reproduction in facsimile.

In view of the condition of the leaves, Professor Sanders has wisely refrained from issuing the whole in facsimile after the manner of the sumptuous edition of Deuteronomy and Joshua or the Freer Gospels. While in the publications accompanied by facsimile only the variants from the *textus receptus* or Swete's edition were noted, in the present case the editor reprints the entire text and appends at the bottom of the page the variants from Swete's text. The line division of the manuscript, including the indentation of the shorter lines used to complete the verses, has been adhered to; a dot below a letter indicates that it was not fully preserved in the MS, but could be read with practical certainty. "All illegible letters and the parts of lines

¹ *The Old Testament Manuscripts in the Freer Collection. Part II. The Washington Manuscript of the Psalms.* By Henry A. Sanders, University of Michigan. New York: The Macmillan Company, 1917. Pp. 105-349.

entirely lost by decay have been inclosed in square brackets. In these lacunae I have printed the Swete text, except when space demanded a variant. In case there was space which no known variant or plausible addition would fill, I have indicated, so far as possible, the number of letters demanded by the space."

I have let the editor tell in his own language the manner of the edition. Here, I fear, there is room for disagreement. It was quite easy, with Rahlfs' monograph in *Septuaginta-Studien II*, and especially his list of 129 characteristic readings, to determine that A represents the common Greek text (G^{vulg}) found in the mass of cursives and several uncials. But here the question immediately presents itself: Is it at all necessary that the first editor of a newly discovered manuscript should constitute himself at the same time the critical student of his text? As matters stand, few scholars will unite in themselves the two functions. It would seem to me that the proper method would have been for Professor Sanders to print (if he did not choose to reproduce photographically) his text to the extent of his ability to read it, and to leave all lacunae unsupplied, at the same time carefully noting the extent of the damage in number of missing letters. Then we should have been grateful for possessing the next best thing to the codex itself: Or, again, if this proceeding did not appeal to the editor, he should have gone in for a minute study of the textual affinities of the parts preserved, and having ascertained the nearest relative in the mass of G^{vulg}¹ should have supplied from it the lacunae as far as feasible and with the reservation noted above in the citation from the editor's preface.

What Professor Sanders gives us is a text of the common type outside the brackets running on in the same line into a text with which it is at variance. A few examples will suffice. Ps. 32:11, second line, Sanders prints *απο γε[νεων εις γεν]εαν* and notes at the bottom that Swete's text (= B) reads *γενεας* for *γενεαν*. Now the reading of the common text (Sc.^a AUG^{vulg}) is *εις γενεαν και γενεαν* for *απο γεγεων εις γενεας* BS*; R has the singular reading *εις τον αιωνα του αιωνος*; but 188. 273 and Arm. ed. read *απο γενεας εις γενεαν*, and that was clearly the reading of A. Ps. 44:9, first line, we read in the print *συμνην και [στακτη και κασια απο των ματιων σου]*, with the note: *συμνη* in Swete; the common text which reads *συμνην* naturally continues *και στακτην και κασιαν*, and so reads A; surely it was not difficult to see that the scribe wrote *per abbreviaturam*: *στακτη και κασῑ*. *Ibid.* 12, first line: *[οτι επιθυ]μῃσι*, with the note: *επεθυμῃσεν* for *επιθυμῃσι*. The future tense is read by the common text, but the same text has *και* for *οτι* (mixed readings: *και επεθυμῃσεν* 55. 67. 226 and *οτι επιθυμῃσει* 183. 194. 208. Procop.);

¹ The process would obviously be as follows: Omit singular readings in A; omit singular readings in B (or its representative S*) or in the smaller group to which B (S*) belongs; establish the MSS that go with A against the B group (the larger group); establish the narrower group of MSS with which A goes within the larger group; determine the value of A among its compeers.

here a minuter study of the filiation of A would be requisite before we can burden it with a mixed reading. A worse case is *ibid.* 13. The print has:

[και προσ]κνησις αυτω
[θυγατερες] τυρου εν δωροισ.

Sanders notes the variant προσκνησουσιν for προσκνησις. But the common text continues in the second line: και θυγατηρ for θυγατερες, in keeping with the current Hebrew (רבת צר, *casus pendens*, nomin. absol.). As the text is printed it is a monstrosity. 71:3, second line, και οι βουνοι δικαιο[συνη], with note: add εν ante δικαιοσυνη, but the common text which omits εν reads δικαιοσυνην; A will have written δικαιοσυνη. 82:10, first line, since A reads with R and certain cursives αυτους for αυτοις (a habitual variant after ποιειν), might not A have continued ως τη (=την) μαδιαμ with 223? 98:7, last line: επηκουσεν αυτοις which appears in brackets is a singular reading of B! 100:1 ελεος is taken over from B, but the common text reads ελεον; the variant meets us elsewhere in Lucian, and the common text of the Psalter is Lucianic (see Rahlfs). In 105:23, fourth line, we ought to be assured that the space requires the addition of γης, which is wanting in the common text. 112:9, second line, S* (which takes the place of B from 105:27 to 137:6, first line) reads μητερα τεκνων ευφραινομενων (a singular reading); Sanders prints μρα επι τεκνοις ευφραινο[μενων]; he should have printed ευφραινομενην with the common text. Impossible is the first line, 140:6, where Sanders prints: κατεποθησαν εχομονα π[ετρας οι κρα]ται αυτων; B has κραταιοι for κραται, so we read at the bottom of the page; but the common text has κριται, and so of course A reads. And all this, and many more examples besides which I have noted down because of the system which called for Swete¹ in the brackets! Clearly the text should be re-edited, of course by Sanders himself, according to the only feasible and scientifically defensible method pointed out above.

I have come across misprints in the footnotes. Page 136, read απολειται for αποπολειται; 172, first line, αισχυνθεισαν for αισχωθεισαν; 187, first line, της καρδιας for τας καρδιας; 243, last line, ωνειδισαν for ονειδισαν; 246, second line, transpose '10' to stand before 'om Ισραηλ'; 263, strike out in the second line '9-10.'

MAX L. MARGOLIS

DROPSIE COLLEGE

¹ The student's attention is drawn to 55:5, second line; 56:5, third line; 57:6, second line; 58:6, first line; 63:7, second line; 69:5, fifth line; 104:20, second line; 113:11, first line; 118:49, second line; 118:172, second line; 137:3, second line; 137:7, second line.

Book Reviews

A GRAMMAR OF MODERN ARABIC

In the circle of studies of modern Arabic dialects, widening with an increasing number of efficient workers and funds to work with up to July-August, 1914, Egyptian Arabic naturally occupies something of a central position. Good books are not wanting which present this dialect, or some form of it, to the student and inquirer from various points of view. The good old Spitta is, indeed, long out of print; the fact that it has for some time been practically unobtainable points to its worth, which in spite of well-known defects would seem to warrant a new edition or, at least, an anastatic reprint. Vollers, less pretentious, printed in an English as well as a German edition, is a good enough book considering its small compass; less scarce than Spitta, second-hand copies are yet by no means plentiful in the open market. Its scarcity is not so keenly felt as in the case of the former, because the fuller works of Willmore and of Spiro Bey offer more than substitutes. Perhaps Thatcher (Harder, Armez), too, deserves mention here, even though literary, not colloquial, Arabic is the subject of his book; the course of study is distinctly pointed toward mastery of modern literary, journalistic, epistolary usage, as it is most extensively and intensively developed in Egypt.

It is a sign of the times that not merely another, not merely the most recent, but the most modern book, designed to facilitate the study of Egyptian colloquial Arabic has now been given us by the fertile brain and the facile pen of an Englishman assisted by a native Egyptian. Working steadfastly, intensively, with merciless self-criticism in most trying times, the well-known missionary, scholar, and gentleman, Mr. W. H. T. Gairdner, succeeded in completing late in 1916 and in laying before the public, before the following year was out, what practically amounts to a new departure in the study and teaching of modern spoken Arabic.¹

Mr. Gairdner has long ago made his mark; for extensive knowledge of both medieval and modern Islam, for sane and balanced judgment on the excellences and defects of the Moslem religion and the needs and desires of the modern Moslem world he has few equals. This, his latest work, in quite another portion of his field, brought out in connection with his post as superintendent of Arabic Studies at the Cairo Study Center, does not disappoint our expectations.

For the first time we find ourselves here on solid ground in the transliteration of Arabic into Romic symbols; the International Phonetic Alphabet has conquered a new field in its own great world-war upon the Babylonian confusion of transliterations. If this book had no other merit than this, it would be a notable achievement. But this is by no means the only excellence of this altogether remarkable piece of work. It blazes new trails, at least trails that are new in the teaching of modern Arabic, in every direction. Considered from the point of view of modern language teaching in general, it must be called an up-to-date book in the best sense of the word.

¹ *Egyptian Colloquial Arabic. A Conversation Grammar and Reader.* By W. H. T. Gairdner, assisted by Shelkh Kurayyim Sallam. Cambridge: W. Heffer & Sons, Ltd., 1917. 12s. 6d.

Not merely the symbols of the best body of modern phonetists are made use of, but the descriptions of the sounds represented by these symbols, though necessarily very brief, is far and away the best of anything the reviewer has yet seen. With one term the reviewer is inclined to take issue, the more so as we are promised for no distant future a practical phonetic handbook on Arabic pronunciation by Mr. Gairdner. Why should the ugly and hardly exact term "plosives" be used along with nasals, laterals, fricatives? Stops, frequently, but not necessarily, issuing in an explosive effect, is much the better and easier term, as Jespersen has amply demonstrated.

To pass from the realm of mere pronunciation, the method of teaching presented in Mr. Gairdner's book is new, or rather of the best modern type. It is the speaking of a modern language which this book has in view. The skill with which guidance is here given toward the acquisition of this art is quite beyond the ordinary. True, it is not intended primarily for the lonely autodidact. The student who would profitably use it without the aid of a competent teacher must have something more than good knowledge of the elements of classical Arabic and rather more than average ability besides. But that teacher must be incompetent, indeed, who cannot with the aid of the guidance, material, and suggestions here presented secure better than average results with average classes. The terrifying show of vocabularies, schemes of declensions, conjugations, etc., is reduced to a minimum. This does not mean that such highly necessary materials are in any wise neglected. In fact, the care and skill with which a student is here inducted into these things makes clear, how faulty and negligent in these very matters are so many books, supposed to be accurate, precise, and scientific, and so much classroom method based thereon. The thirty-two sections of this book with their auxiliary material are admirably designed to teach the whole of a living language, idioms, syntax and all, not merely a skeleton of declensions and grammatical formulas. It is not possible within the limits of a review fitting the scope of this *Journal* to expatiate upon details.

It is natural, perhaps, but from more than one point of view deplorable, that this admirable book should meet opposition in its home country, England, some of it in the interest of re-editions of competitors. Such opposition would be entirely unnatural in America. Whether the projected American School for Modern Oriental Languages materializes or not (if it does, it ought to be more than one), not only religious missionaries, for whom the book is more especially intended, but educational, professional, and business missionaries as well, and governmental emissaries, also, will find it to their advantage to invest in this book and to work through it under the guidance of a competent instructor at the earliest opportunity. They will not find a spurious short cut with all toil and trouble airily eliminated; but they will find the naturally hard road made pleasant, leading with as straight and purposeful direction as is possible to the desired goal.

If this book acquires the popularity it deserves, a new edition should be necessary after no great number of years. May that time be less troubled than the moment of its first appearance. It will then be possible to eliminate in a still greater degree than has been done in this first edition those slight defects of proofreading which are especially troublesome in a language book for beginners.

M. SPRENGLING

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LEONARD WILLIAM KING, ASSYRIOLOGIST
1869-1919

BY ROBERT WILLIAM ROGERS
Drew Theological Seminary, Madison, New Jersey

It would be quite impossible for me to write an impersonal word about this most affable gentleman, this most careful, accurate, precise, and suggestive scholar, and I have no desire to do it. I saw him too often, esteemed and honored him too highly, depended too much and too often upon his copies and interpretations of difficult texts, to feel other than a personal relation to him; and as the editors have honored me with this commission I slip away from the familiar scenes of everyday effort, to see him as he was, and as I knew him, in happier days than these—to which the Great War has given a note of isolation.

To know King as he was, you went into the British Museum, the world's greatest treasure-house, climbed the stairs at the north-west corner of the ground floor, turned sharply to the left into the second Egyptian room, and thence, still walking toward the north-west, entered the first Egyptian room. There the polite attendant said that Dr. King was in and that he would ask whether he could receive you. The attendant went to the northwest study door,

tapped on the iron with his key, heard a cheery response from within, and, unlocking the door from the outside with that same key, bade you enter. The man who rose from his big table to bid you welcome was no frail creature, but broad of shoulders, stocky, strong, healthful, and health-radiating, an Englishman of the true type. He seemed always well, always ready for a pleasant word, interested in the work of others, quick to appreciate, ready to give help. He laid down an Assyrian or Babylonian tablet as he rose to greet you, for he was copying for publication in the next volume of texts. Indeed, he seemed always to have some tablet in his hand. He and they were as inseparable as horse and man among the Centaurs. It would be a safe presumption that he had seen and handled more cuneiform documents than any man who has lived in our time. What pitiful thing it is to have lost such a man from a world which has had so few of his knowledge and experience!

I knew he had been ill, very ill, so they said, since the time when a pressing call had come from the British army of occupation in the Tigris Valley to send out an expert to assist in—well, in looking over whatever might turn up of the general class of antiquities as the conquering forces swept northward with the good red flag of Britain over them. There was no other in the British Isles whom nature had been preparing for just such a task as that, and the doctors had been inoculating him for this and that danger before he should set out. Then suddenly came the word that the doctors had forbidden him to go, and that did not sound assuring. There seemed, however, no need to feel anxious. He would not be fifty years old until December 8, 1919; he was strong, he would recover, he had surely years of rich work before him. But he slipped away and left us all the poorer, and they who belonged to his generation will not expect to see his like again in their day.

King was born a Londoner, and loved his city with a just and warm affection, and attempts to win him to some other allegiance, even to an American sojourn, were all in vain. Two other favored spots were influential in his early life. One was Rugby, where he had a sound foundation training in the classics—and perhaps even the maddest of the mad modernists have not yet suggested aught better than that as a preparation for the work he was to do. From

Rugby he went up to Kings College, Cambridge, and lived by the side of the greatest academic chapel in all the earth,

. . . . this immense
And glorious work of fine intelligence.

To his latest days he loved Cambridge, and it was not always perfectly safe to say in his presence that Cambridge would be the loveliest academic city in the world but for Oxford!

He passed very soon from his degree at Cambridge to the British Museum to spend years as assistant in the department of Egyptian and Assyrian Antiquities, and to receive at length promotion to the title of Assistant Keeper. In both posts Dr. E. A. Wallis Budge was his chief, and no chief ever had a more loyal or faithful subordinate. Some of us in America who cheerfully abuse deans and presidents, or otherwise diminish their honors, might have learned something from this gentleman of an older and better school. In return for this loyalty Dr. Budge gave him his chance, sent him on missions of exploration and excavation in the East, and poured into his increasingly skilful hands a great mass of material which flowed into that great lake—indeed it was almost an ocean—of antiquities. There in the course of the years King had the opportunity of copying for the official Museum publications hundreds of inscriptions, and also that of publishing books of his own from materials not then officially published. Let me speak first of the official and afterward of the unofficial and personal publications.

All who have dealt with cuneiform literature were early made familiar with the five volumes of the inscriptions of Western Asia edited by Rawlinson and Norris, and then by Rawlinson assisted by Pinches. As time went on the stately volumes were increasingly difficult to secure, and there was much rejoicing when the year 1896 brought the first volume of a new series entitled "Cuneiform Texts from Babylonian Tablets, &c., in the British Museum." The Preface was signed by Dr. Budge and the new plan was his. The first part contained fifty plates and the Preface stated, "The copies have been made by Mr. L. W. King, M.A., Assistant in the Department." From that time until the beginning of the Great War thirty-four parts of equal or greater size appeared, and of these sixteen were the work of King; of two more it is said that he

"assisted" in the preparation, and two others were "revised and corrected" by him. He had worked upon twenty out of thirty-four. It is a splendid record, and the standard of excellence was as high as the output of effort was great. The copies were supremely accurate; one came to rely upon them implicitly; they bore, as far as human labor ever does, the stamp of the definite. He put down what his expert eyes saw on the tablet, no more, no less, and whoever collated after him seldom or never found a sign wrongly set down or was able to add another. It is no disparagement of any other scholar if I make so bold as to say that he was the greatest copyist of cuneiform texts of his day, either in Britain or anywhere else. But his copies had another quality than the essential quality of accuracy, for they were legible beyond all others. He did not attempt, as Hilprecht had done, to copy a tablet in the exact size of the original, with every little stroke, however faint, however dimmed by time or deposits of silica, but wrote it down in a bold clear hand, intended to show a kindly favor to the eyes that should read, not to destroy them.

The parts which King produced ranged the whole vast field of cuneiform literature, and he seemed equally a master in everyone of them. Is there another among us of whom this could be said since the days when Sayce copied tablets? It seems idle to select for special comment any of these masterly parts, but perhaps one might be allowed to express a high personal preference for Part 13 in which King collected and published all that the British Museum contained of the Creation series, and for Part 26 in which he did the superb new Sennacherib "cylinder" (it is really an octagonal prism and is No. 103,000). It were foolish to praise the Creation texts, and as to the Sennacherib it suffices to say that the only thing that deserves to stand with it is the publication of the new Sargon text in the Louvre by M. Francois Thureau-Dangin,¹ and that King's is far more easy to read!

During all the years of constant untiring daily labor upon these texts for the official publications of the Museum, King poured forth a series of books which bore his own name on the title-page. This is

¹ Une Relation de la Huitième Campagne de Sargon (714 av. J. C.). Texte Assyrien inédit, publié et traduit par François Thureau-Dangin, Paris, 1912.

no place to enumerate them; we must await the publication of a bibliography, which time must surely bring; but the occasion may serve to mention very briefly a few of them. In 1898 he gave out *First Steps in Assyrian, a Book for Beginners*, and followed it in 1901 by *Assyrian Language, Easy Lessons in the Cuneiform Inscriptions*. They seem not to have been widely used, in America at least, but their only disadvantage was that they gave the beginner too much help, and so perhaps tended to weaken his self-reliance, but their virtues were many and they should not be forgotten. There followed quickly the big book by Budge and King in collaboration, *Annals of the Kings of Assyria*, Vol. I, 1902, a most useful book, with the texts of the kings from the earliest rulers to Ashur-nazirpal (885–860 B.C.), the cuneiform original in type at the top of the page and the translation and transliteration below. It is indeed a pity that this enterprise was carried no farther, for a second volume has not appeared. In this same year there issued from the press *The Seven Tablets of Creation* in two big volumes, in a style similar to the larger work in three volumes on *The Letters and Inscriptions of Hammurabi* (1898–1900), and between these two works it were difficult indeed to discriminate in value. The former was surely the more difficult of accomplishment and the more useful to serious biblical students, while the latter was more important to students of history.

In 1847 Sir Henry C. Rawlinson published his edition of the Persian text of the inscription of Darius the Great at Behistun, which he had copied at so great a cost of labor and peril during a series of years, and in 1870 was published (III R 39, 40) for the British Museum the Babylonian text, but it was well known that many readings were doubtful and that considerable *lacunae* existed. In 1904 King, accompanied by Mr. R. C. Thompson, who lately distinguished himself in the British forces in Mesopotamia, went out to study again this great text of Darius. It was a perilous task, but was accomplished and the results published in *The Sculptures and Inscriptions of Darius the Great* (1907) and this has given us the Persian, Babylonian, and Susian texts in a form perhaps never to be surpassed.

King's last important work of this kind was the publication in 1912 of the *Boundary Stones and Memorial Tablets in the British*

Museum. If the kind reader would let his friendly eye pass once more over the adjectives already used to characterize King's other publications he might perhaps assist in the supplying of a suitable noun, and an adjective of which it was not ashamed, to describe this book. I forbear to attempt it, venturing only to say that King did nothing better.

The publication and interpretation of texts had given King immense stores of historical material, and it was not surprising that he should begin to write a history. The first volume, *A History of Sumer and Akkad*, was published in 1910 and the second, *A History of Babylon*, in 1915. He told me in 1914 that the third volume, *A History of Assyria*, was in an advanced state of preparation. I hope that it was sufficiently written to make its posthumous publication assured. The first two are just what might have been anticipated. They are immensely learned, rich in citations from the original sources, a storehouse of acute, ingenious, and suggestive observations. They were, however, something less than history as Gibbon would have written it. They were indeed rather what our whilom friends call *Untersuchungen und Materialien*, but happy indeed ought we be to have them.

I have sketched but a part of Leonard W. King's work. It was too much for any man to exact of himself, and as I looked at one book after another while writing I felt sad that he had had so little of life for himself. One would indeed have desired him to write for some years yet, but more slowly, with greater ease, with a bit more of kindly comfort, and then to have years of a peaceful eventide. Men could not but ask King to write more, for he did it so well, but I recall what Johnson said so wisely, and so gently too, in the famous conversation.

BOSWELL: But, Sir, why don't you give us something in some other way?

GOLDSMITH: Ay, Sir, we have a claim upon you.

JOHNSON: No, Sir, I am not obliged to do any more. No man is obliged to do as much as he can do. A man is to have part of his life to himself.

I wish King had lived to be three score years and ten!

CRITICAL NOTES ON THE TEXT OF JOB

By G. BUCHANAN GRAY
Mansfield College, Oxford, England.

As elsewhere in the Old Testament, so in the Book of Job our chief control over the Hebrew text is the early Greek version. Unfortunately the use of the Greek version is in this book beset by peculiar difficulty, for in the first place large parts of the Hebrew text were not rendered by it, and in the second, since our version is often paraphrastic and in general more idiomatic than that of some other books of the Old Testament, there is a danger of treating differences from the Hebrew text as real which are merely apparent¹ and due to the translator's regard for Greek idiom. As a set-off against this, another method of control may be applied with somewhat less uncertainty than elsewhere. Job is by far the longest poem in the Old Testament, and it is possible to conjecture with correspondingly more probability the rhythmical intentions of the writer than in short psalms or brief prophetic poems. There can be no question that the dominant rhythm of Job is that of the balanced distich, each line of which contains three stresses. Even in Job there are, I believe, clear examples of other rhythms, but these are relatively few, and any departures from the 3:3 rhythm in the existing text, and still more in proposed emendations, call for a rigorous examination. There are, again, examples of tristichs, and though these also are relatively few there seem to be a sufficient number free from any suspicion independent of rhythm for it to be unwise to deny that some may be due to the intention of the writer. The attempt to impose on the poem a rigid system of quatrains I regard as unsuccessful and to have been attended with some very unfortunate results.

In the following notes I illustrate certain applications of the two methods of control just mentioned by reference to passages in which, in the forthcoming commentary, I have suggested new

¹ A number of such unreal variants attributed to the Greek text in the notes in Kittel's Bible were noted by Driver in notes he had prepared for the *International Critical Commentary* on Job, which is now in press and will appear soon.

emendations or modifications of earlier ones, taking this opportunity to discuss certain points more fully than has been possible in the commentary.

JOB 7:4

אם שכבתי ואמרתי מתי אקום
וימדד ערב ושבעתי נדדים עדי נשק

ἐὰν κοιμηθῶ, λέγω πότε ἡμέρα;

ὥς δ' ἂν ἀναστῶ, πάλιν πότε ἑσπέρα;

πλήρης δὲ γίνομαι ὀδυνῶν ἀπὸ ἑσπέρας ἕως πρωί.

When I lie down, I say,

When shall I arise? But the night is long:

And I am full of tossings to and fro until the dawning of the day [R.V.].

The Revised Version, by dividing into three lines instead of into two (the first ending at "arise"), exaggerates the imperfection of the parallelism that in some measure certainly marks the Hebrew text. G's first two lines are no doubt admirable parallels, but the third follows awkwardly, reverting to the night experience of the first line instead of following up the day experience of the second line; the ἀπὸ ἑσπέρας of the third line is probably an addition of the translators to unite the third line a little better with the second. It is possible that most of the remaining apparent variations of G do not represent real differences in H. Clearly down to πότε in the first line, and from ἑσπέρα in the second line, G (apart from ἀπὸ ἑσπέρας) has the same text as H. What Hebrew text is represented by the intervening words in G? Beer (*Der Text des Buches Hiob*) followed by Duhm replies: יום ואם קמתי בתי. This is a fair conjectural retranslation of G, though it fails to account for πάλιν and assumes that G renders the אם (ואם) of the hypothetically exactly similar phrases אם שכבתי and ואם קמתי differently. I suggest that it is equally possible, and more probable, that the text of G differed from H only in having ובתי instead of ובמדד; having a text which appeared to mean: If I lie down, I say, "When (will it be) . . . , " I arise, and (or, again), "When will it be evening?"; possibly too, having Deut. 28:67 in mind, the translator supplied what appeared to him the obviously missing word "day."¹

¹ With ὥς δ' ἂν ἀναστῶ=אקום (treated as virtually hypothetical) cf. ὅταν ἀναστῶ=אקומה (19:18); ἐὰν ὑπερῶ=ישען (8:15); ἐὰν κλέσθ=יסגר (12:14). With πάλιν=ן, cf. πάλιν δὲ=ן (33:19).

In this passage, then, G seems to me an unsafe starting-point for the reading proposed by Beer and for the further conjectures by means of which Duhm reconstructs, out of the two overlong lines of H, a quatrain of three stressed lines, as follows:

אם שכבתי ואמרת
מתי ים ואקם
ואם קמתי מתי ערב
ושבעתי נדדים ערי נשוק

If I lie down, I say,
When (will it be) day, that I may arise?
And if I arise (I say), When (will it be) even?
And I am sated with tossings to the dawn.

The first of these lines is two- rather than three-stressed; the others may be read as examples of the dominant rhythm of the book. But the parallelism is poor; in fact, the lines of the distichs are not parallels, and the parallel terms have drifted into odd lines. Moreover, the first line gives the impression of being defective, the second, on the contrary, of being stuffed out by the addition of the superfluous **ואקם**, and the conjectural element, as already remarked, is very extensive; thus, although Duhm improves on the impossible rhythm of H—a four-stressed line followed by a five-stressed line—and also eliminates the strange meanings which H requires to be placed on **מדד** and **ערב** (which elsewhere, true to its etymology [time of sun-], *setting is evening*, not *night*), there is clearly room for a fresh suggestion.

It is possible to eliminate the questionable meanings of **מדד** and **ערב** and to restore regularity of rhythm—though not, it is true, the 3:3 rhythm dominant in the book, but 4:4, which occasionally appears in it—and an admirable parallelism by means of the minimum of conjecture: Read **וַיִּמְדֵּי**¹ for **וַיִּמְדֵּי** and render

When I lie down, I say, When shall I arise?
And as often as evening (comes), I am sated with tossings till (morning-) twilight.

The original text **וַיִּמְדֵּי** by the faulty transcription of one letter became **וַיִּמְדֵּי** in H, and by the faulty transcription of another, **וַיִּמְדֵּי** in G.

¹ The particle and noun (**וַיִּמְדֵּי-ערב**) may easily be taken as a single stress; not so the verb and noun of H.

JOB 17:1, 11

Elsewhere than in the Book of Job, 2:2:2 is by no means an infrequent variation of 3:3.¹ On the other hand, in Job even apparent examples of 2:2:2 are very few, and examples certainly going back to the original text are perhaps not to be found.² Two apparent examples occur in chapter 17; another is discussed below (24:20). Verse 1 reads:

רוחי חבלה ימי נזעכו קברים לי

δλέκομαι πνεύματι φερόμενος, δέομαι δὲ ταφῆς καὶ οὐ τυγχάνω

In addition to the unusual rhythm, נזעכו (the verb is elsewhere always נזקך) and perhaps the plural קברים are suspicious features. While H is clearly 2:2:2, G rather suggests an original with the rhythm 3:3:3. Unfortunately, it is impossible completely to reconstruct the Hebrew original of G: *ταφῆς* suggests that the translator read the singular קבר, and that the remainder of the line (ימלי) seemed to him to be ואיך or ואיננו, which he rendered by *καὶ οὐ τυγχάνω*, as he rendered ואיננו by *καὶ οὐ τυγχάνουσιν* in 3:21. At the beginning of the verse, *πνεύματι* clearly corresponds to רוחי of H, but the remainder ימי נזעכו חבלה may have been read very differently; the attempt to explain *φερόμενος δέομαι δέ=* נזע בי (Duhm) is very questionable; for *φέρειν* never elsewhere=*נזע*, and the rendering of the particle ב in the Pentateuch by *δέομαι* followed by a vocative is very poor proof that a translator here would take it as equivalent to a verb with an object. More probably *δέομαι δέ* corresponds to the whole of what the translator read for נזעכו, and *δλέκομαι φερόμενος* to his reading in lieu of ימי חבלה; but what the original text of this passage was so far remains uncertain.

Again in 17:11 while H is clearly 2:2:2, G suggests 3:3:

ימי עברו זמתי נתקו מורשי לבבי

αἱ ἡμέραι μου παρηλθον ἐν βρόμῳ

ἐρράγη δὲ τὰ ὕθρα τῆς καρδίας μου

¹ See G. B. Gray, *Forms of Hebrew Poetry* (London, 1915), p. 182.

² A good example would be found in 9:21, if the text could be trusted; but obviously תם ארץ may be due to erroneous repetition from 9:20.

Three considerations combine to show that זמתי in H is wrong: (1) a noun at this point can only be the subject of נתקן, and this creates the rhythm 2:2:2; but (2) there is no reason for the placing of the subject of נתקן in the emphatic position at the beginning of the sentence; (3) elsewhere זמה always has a bad sense. Clearly then G is so far right that זמתי is a corruption of some complement to עברו—perhaps למות, proposed by Driver, in preference to Budde's למותי; in the second line מורשי may be an error for מירי (= ἀρθρα) as Wright suggests. On the whole Duhm's reconstruction מתקן צמתו for נתקן זמתי, and מארשי for מורשי keeps less close to the existing textual evidence.

JOB 17:14

לשחת קראתי אבי אתה
אמי ואחתי לרמה

θάνατον ἐπεκαλεσάμην πατέρα μου εἶναι
μητέρα δέ μου καὶ ἀδελφὴν σαπῖαν

Bickell and Budde delete אבי אתה, taking אמי into the first line. Neither H nor the emended text gives the normal rhythm of Job: the former is 4:3, a rare rhythm¹ of which some apparent (see next note), and perhaps a few actual, examples are to be found in Job; the latter 3:2, a frequent rhythm elsewhere, but in Job, though not unparalleled, quite infrequent. More probably אתה alone should be omitted, and the normal rhythm 3:3 thus restored. In favor of this, it is true, G cannot be safely cited; for εἶναι, which corresponds to nothing else in H, may be an equivalent of אתה; but the addition of אתה may be explained as due to a reminiscence of Jer. 2:27. Budde's objection that שחת being feminine could not be addressed as "father" is invalid; for שאול, commonly feminine, of which שחת is a synonym, is construed with a masculine adjective in 26:6; and Jeremiah, who at one time personifies אבן (feminine) as a female (2:27), at another time (3:9) makes it the male object of Judah's adulterous affection.

¹ See *Forms of Hebrew Poetry*, pp. 172 ff.

JOB 18:2

עד-אנה חשימון קנצי למליו
חבינו ואחר נדבר

*μέχρι τίνος οὐ παύσῃ;
ἐπίσχες, ἵνα καὶ αὐτοὶ λαλήσωμεν*

As in 17:14, so here in H, the rhythm is 4:3; additional suspicious features of H are the poor parallelism, the use of the second person plural in an address to Job, and the strange קנצי. It is possible that in the first line G is merely a paraphrase of the existing text, the translator having given to קנצי the sense of קץ, and having corrected the plural pronoun as at least apparently unsuitable to the singular; on the other hand the second line, though it presupposes something very different from חבינו, has no appearance of paraphrase, and even in the first line the words *μέχρι τίνος οὐ* do not suggest paraphrase, but look like a literal rendering of the very idiomatic Hebrew **עד אנה לא**, "when at last?" "will you ever?"; but if so, the translator had something much shorter than, and very different from, the remainder of the first line in H, possibly **חדם**. I suggest, therefore, as the original G, and also as very near to, if not identical with, the original text,

עד אנה אתה לא חדם
חלל ואנחנו נדבר

When at last wilt thou cease (talking)?
Leave off (now), that we may (begin to) speak.

This is a perfect 3:3 distich. For the **אתה** unexpressed in G compare the rendering of the similar locution in Zech. 1:12,

עד בתי אתה לא תרחם
ἕως τίνος οὐ μὴ ἐλεήσῃς

JOB 19:14, 15

14 חילו קרובי
ומידי שכחוני
15 גרי ביתי ואמהתי לזר תהשבני
נכרי הייתי בעיניהם

In verse 14 the rhythm is 2:2—very rare in Job, though 10:6 seems to be a secure example. Verse 15 is unrhythmical and not to be defended by reference to 7:4 (see above), but simply to be pronounced impossible, as is the second line there. Since Kennicott, many have restored parallelism and normal rhythm by simply transferring גִּרִי בֵּיתִי to verse 14. This, however, separates the closely connected גִּרִי בֵּיתִי and אֲמֵהָתִי; moreover לֹד אֲמֵהָתִי לֹד, with the subject prefixed and the *waw*, looks more like the second line of a distich. I suggest transposing נִכְרִי הָיִיתִי בְּעֵינֵיהֶם. Render:

My kinsfolk and my familiar friends have failed,
A foreigner am I become in their eyes;
They that obtained guest-right in my house have forgotten me,
And my maids count me as an alien.

JOB 24:20a

יִשְׁכַּחְהוּ רַחֵם מִתְקוֹ רִמָּה עוֹד לֹא יִזְכֹּר

This is another apparent example of 2:2:2, which as noticed above (on 17:1:11) is very questionable in Job. Suspicious also is מִתְקוֹ (for מִתְקָחוּ). Beer and others have suggested רִחֵב מְקוֹמוֹ for רִחֵב מִתְקוֹ רִמָּה. This restores the rhythm 3:3, but Driver objects that in usage רִחֵב means (physical) “loftiness” and is questionable in the sense which the emended text would require. A very slight additional emendation avoids this objection, secures the right rhythm and a better parallelism. Read שְׁמָהּ for רִמָּה, and render:

The square of his (native) place forgetteth him
And his name is remembered no more.

JOB 32:14

וְלֹא עֵרַךְ אֵלֵי מִלִּין
וּבְאִמְרֵיכֶם לֹא אֲשִׁיבֵנּוּ

ἀνθρώπων δὲ ἐπετρέψατε λαλῆσαι τοιαῦτα ῥήματα

Attempts to translate H so as to suit the context strain the force of וְ, or fail to do justice to the order of the words. For example, the Revised Version renders “For he hath not,” etc.;

Budde says the meaning is: "His weapons can do *me* no harm for my weapons are different from yours," which would surely require **אלי** to precede **לא ערך**, **כי** instead of **ו** before **באמריכם**, and **יערך** instead of **ערך**. Substantially Bickell seems to have recovered the correct text by reading **אשר כאלה** in place of **ערך אלי**. As closer to H and involving merely the supposition of the loss of two letters through haplography and the corruption of **ה** into **י**, I propose **אשר כאלה**. But the evidence for the change is worth a little closer attention. This evidence consists of (a) parallelism, (b) the versions, primarily G.

a) *Parallelism*.—**מליך** and **אמרי** are parallel terms, and suggest that the parallelism of the entire lines was originally more complete than in the present text. But if this be so, the first person in **אשיבנו** suggests **אשר** instead of **ערך**; and to the **כם** of **באמריכם** we may look for a parallel behind **אלי**, which we obtain by reading **כאלה**.

b) *Versions*.—S V omit the first *waw*, which may well be right, and S has **אשר**=**אין**. But it is G that calls for more careful attention. This is not so paraphrastic as it looks; for **ἀνθρῶπι δέ** is really a rendering of **לא־איש** in verse 13. In any case there pretty clearly correspond to **אלי מליך** in H the words **τοιαῦτα ρήματα** in G. It should follow then that G attests a reading **כאלה מליך**. The only reason for questioning this is that G in Job inserts **τοιαῦτα** at times where it certainly did not stand in H (see 15:4, 13; 33:16). On the other hand, in these cases it places **τοιαῦτα** after the noun. Since here it precedes the noun, as elsewhere where it corresponds to a **כאלה** actually in the Hebrew text (compare **τοιαῦτα πολλά**=**כאלה רבות** in 16:2), and since **אלי** of H is not otherwise represented in G, the reading **כאלה** seems reasonably secured. It is curious that Beer does not record it in Kittel's Bible, though he has noted it in his earlier work, for it is certainly a far better attested reading than some of those attributed to G in Kittel. I render the emended text to show the parallelism obtained in it:

I will not set forth such words as these,
Nor will I answer him with your sayings.

THE SANDALWOOD AND PEACOCKS OF OPHIR

BY WALTER EUGENE CLARK
University of Chicago

This short paper deals with the general problem of Ophir only in so far as that problem has a bearing on the more specific question of commercial relations between India and the West in the tenth century B.C. For my purpose it is unnecessary to discuss the words *ṣenhabbim* and *qophīm*, usually translated 'ivory' and 'apes.' The words may have those meanings or they may not. Even if they are accurately translated, India is not the only country from which ivory and apes could have come. Only the words 'sandalwood' and 'peacocks' are crucial. It is also unnecessary to discuss the much-disputed 'ships of Tharshish' and to decide whether the phrase is merely metaphorical or whether it really refers to ships which sailed to Tharshish, as the Chronicler would have it. It is immaterial for my purpose whether there was one voyage to Ophir or many, and whether the ships sailed to Ophir alone or to both Ophir and Tharshish.

All the facts here stated have long been known, but many recent books and articles have disregarded the essential points of the problem and have been misled by popular but antiquated discussions in the pursuit of will-o'-the-wisps of etymologies. Anything can be proved by the judicious use of etymologies and the fortuitous resemblances of words from different languages.

I Kings 10:11 reports that the navy of Hiram which brought gold from Ophir brought also from Ophir *almug* trees and precious stones. II Chron. 9:10 corresponds, but reads *algun* for *almug*, and does not say expressly that the *algun* trees came from Ophir. The reading of Kings (composed about 600 B.C.) is to be preferred to that of Chronicles (composed after 300 B.C.), unless it can be shown conclusively that *algun* must be correct and has been corrupted in the handing down of the text of Kings.¹ Torrey² remarks that the

¹ The word *almug* is repeated twice in I Kings 10:12; *algun* is repeated once in II Chron. 9:11. The two words undoubtedly refer to the same article. There is nothing surprising in the transposition of letters. But which is original?

² *Ezra Studies*, pp. 82-84.

Hebrew text of Chronicles used by the Greek translator (before 150 B.C., as proved by a passage of Eupolemos) was not particularly good, but had suffered considerably from careless copyists. *Almug* is at least as likely to be correct as *algum*. The reading *algum* is often assumed to be correct merely because of an entirely hypothetical comparison with Sanskrit *valguka*. The text of Kings itself may not have been preserved with complete accuracy, but unless this comparison can be shown conclusively to be valid it cannot be used to prove the superiority of the reading of Chronicles.

The Septuagint translates the word in I Kings 10:11 by ξύλα πελεκητά (L ἀπελέκητα), in II Chron. 9:10 by ξύλα πύκινα (L MSS 19, 108 ξύλα πύκινα ἀπελέκητα).¹ A few manuscripts of the Lucianic tradition (56, 93, 121) merely transliterate the word in Chronicles as γουγιμ or αγουγιμ.² Rahlfs³ reports from Theodoret the reading αγωγιμα. According to Field, Aquila had σούκινα and Symmachus had θύινα. It is noteworthy that none of the Lucianic manuscripts transliterate in I Kings 10:11.

If Olmstead's conclusions are correct⁴ the present text of Kings represents a complete post-Septuagintal revision of the old text; further, the Greek text is distinctly late, and the beginning and end of I Kings and all of II Kings come from Theodotion. Torrey⁵ argues that the present Greek text of Chronicles comes from Theodotion. The Greek of both books is decidedly late, and it is impossible to get back to the original readings. Did the Greek translators (or revisers) of Chronicles deduce πύκινα from II Chron. 2:8 as the translation of *algum* which best fitted the context there?⁶ In

¹ For the readings see Field's *Hexapla* and the editions of the Septuagint by Holmes and Parsons, Lagarde, Swete, and Tischendorf. For discussions see Kittel, *Die Bücher der Könige*, p. 90; Šanda, *Die Bücher der Könige*, I, 280-82, 296; Cheyne, *Expository Times*, IX, 470-73.

² MSS 93 adds ἀπελέκητα.

³ *Septuaginta-Studien*, I, 31. See also Torrey, *Ezra Studies*, pp. 70, 80. Torrey believes that these transliterations in the Lucianic tradition come from Theodotion. Did the remaining L manuscripts follow the ξύλα πύκινα of the other manuscripts, and is the addition of ἀπελέκητα due to a revision and comparison with I Kings 10:11 where L reads ἀπελέκητα; or was πύκινα inserted because of a revision to the reading of the other manuscripts in this passage?

⁴ *AJSL*, XXX, 26-27, 34-35, and XXXI, 169-70, 184, 204.

⁵ *Ezra Studies*, pp. 66 ff.

⁶ At any rate there must have been two independent translations of the word in the two passages. No good reason has yet been discovered for the translation found in Kings.

II Chron. 2:8 Solomon asks that cedar, cypress (fir?),¹ and *algum* trees be sent from Lebanon. The Septuagint here has *πέικινα* without variant. The parallel passage in I Kings 5:6 has only cedar, which is translated in the Septuagint by *ξύλα*.² In I Kings 5:8 and 10 cedar and cypress (fir?) are named; so also in I Kings 9:11.

If II Chron. 2:8 is correct the translation 'sandalwood' is impossible, for sandalwood could not have come from Lebanon.³ Is *algum* of II Chron. 2:8 an addition of the Chronicler to the original words?

It is noteworthy that there is no mention of *almug* in the detailed description of Solomon's building operations in I Kings, chapters 6-7, although in I Kings 6:15 cedar and cypress (fir?) are named specifically. Moreover, Eupolemos (second century B.C.), as quoted by Eusebius from Alexander Polyhistor,⁴ knew nothing of the use of *almug* trees in the construction of the temple. According to Freudenthal,⁵ Eupolemos used both the Septuagint and the Hebrew text, and based his discussion on Chronicles, but also tried to make a synthesis of the divergent accounts in Kings and Chronicles. Eupolemos reports that David gathered together and handed down to Solomon χρυσίον, ἀργύριον, χαλκόν, λίθους, ξύλα κυπαρίσσινα καὶ κέδρινα. II Chron. 2:7-8 and I Chron. 29:2, on which this passage is evidently based,⁶ have gold, silver, brass, iron, various precious stones, cedar, cypress (fir?), and *algum*. Eupolemos omits 'iron.' If he used here a Hebrew text and that text had *algum* it is strange that he should have omitted the precious wood, especially since he mentions cedar and cypress expressly. If he used the Greek text of

¹ See the remarks of Šanda, *op. cit.*, p. 105, on this uncertain word.

² See Burney, *Notes on the Hebrew Text of the Books of Kings*, p. 54. Šanda, *op. cit.*, p. 103, thinks that 'wood' must have been the original reading, because in verses 8 and 10 two kinds of wood are mentioned. So also Benzinger, *Die Bücher der Könige*, pp. 28-29. Such strict logic is not necessary. Burney thinks that *ξύλα* is a correction made in order to accommodate this verse to verses 8 and 10.

³ For arguments on the basis of this passage, and II Chron. 9:10, that *almug* or *algum* did not come from Ophir at all, see Cheyne, *Expository Times*, IX, 472, and Šanda, *op. cit.*, p. 280.

⁴ As given by Freudenthal, *Alexander Polyhistor*, p. 226. For the date and writings of Eupolemos see Susemihl, *Gesch. Griech. Litt.*, II, 648-51; Gutschmid, *Kleine Schriften*, II, 191; Freudenthal, *op. cit.*, pp. 105-30.

⁵ *Op. cit.*, pp. 108, 114, 119, 120, 126. See also Torrey, *Ezra Studies*, pp. 49, n., and 82; Rahlfs, *Septuaginta-Studien*, III, 112-13.

⁶ II Chron. 2:7-8 omits the precious stones. I Chron. 29:2 omits cedar, cypress (fir?), and *algum*, and has merely 'wood.'

Chronicles he probably found ξύλα πεύκινα. Is this, together with cedar and cypress, reflected in his account merely by ξύλα κυπαρίσσινα καὶ κέδρινα? Did he find a third word at all? At any rate the omission is significant.

Josephus (*Ant.* 8. 7. 1) has ξύλων πευκίνων. The Vulgate has *pinea* in II Chron. 2:8, but in the other passages has *thyina* (a citron wood from Algiers). It is clear that there was no definite traditional interpretation of the word. The translations were merely guesses from the context.¹

Celsus (1748 A.D.) enumerates no less than fifteen different interpretations of *almug*,² and he himself was the first to suggest 'sandalwood.' Glaser³ has identified *almug* with the *uṣū*-wood (styrax) of the Assyrian inscriptions. Cheyne⁴ identifies it with Assyrian *ēlammāku*. Šanda⁵ suggests that *al* may be the Arabic article, and compares *gummīm* with Egyptian *kmj* (Herod. 2. 96 κόμμι).

Josephus, who was, so far as our evidence goes, the first to locate Ophir in India, did not see in the word the name of any distinctively Indian product. He blindly followed the 'pine wood' of the Septuagint. Pine wood all the way from India! If his identification of Ophir with India was based on any old Hebrew tradition it is strange that he did not also know some tradition which named Indian products among the articles brought from Ophir.

Lassen⁶ tried to support the translation 'sandalwood' by a comparison with Sanskrit *valgu* or *valguka*. Max Müller⁷ argued that Sanskrit *valgu(m)* was corrupted first to *algum* and then to *almug*. If *almug* be original, as is probable, the comparison has no validity whatever. The Sanskrit word *valgu* means 'beautiful,' and is never applied to sandalwood. As a noun (and that only in late lexicons) the only meaning the word has is 'goat.' The derivative *valguka*

¹ See Burney, *Notes on the Hebrew Text of the Books of Kings*, p. xxvii.

² *Hierob.*, I, 172.

³ *Skizze der Geschichte und Geographie Arabiens*, II, 358-64.

⁴ *Expository Times*, IX, 472; cf. *ibid.*, X, 239.

⁵ *Op. cit.*, p. 281.

⁶ *Indische Alterthumskunde*, I, 538; followed by Ritter, *Erdkunde*, XIV, 404-5, and by many others.

⁷ *Science of Language*, I, 189.

'beautiful' is given the meaning 'sandalwood' only in late lexicons. The earliest Sanskrit word for sandalwood is *candana*, found first in Yaska's *Nirukta* 11. 5 (ca. 500 B.C.). There is not the slightest evidence that *valguka* was a name of sandalwood as early as the tenth century B.C. Sandalwood is unknown to the Rig Veda.

Caldwell¹ compared to Sanskrit *valguka* the Tamil-Malayālam word *aragu* or *alagu* 'beautiful,' but there is no evidence that the word was ever used as a name for sandalwood.

The translation 'sandalwood' is based on no old Hebrew tradition. It is a guess from as late a date as 1748 A.D., and is supported by an utterly unconvincing comparison with a Sanskrit word used metaphorically at a late date to mean sandalwood. The conclusion is obvious.

I Kings 10:22 reports that Solomon had at sea 'ships of Tharshish' with the navy of Hiram and that once in three years they returned bringing gold and silver, ivory and apes (if *ṣenhabbīm* and *qophīm* mean that), and *thukkiyyīm*. II Chron. 9:21 corresponds except that the ships are said to have sailed to Tharshish. The Septuagint renders *ṣenhabbīm*, *qophīm*, and *thukkiyyīm* of I Kings 10:22 by λίθων τορευτῶν καὶ πελεκητῶν. Some seven minuscules, including the most important manuscripts of the Lucianic tradition, have ἀπελεκητῶν.² Of the old manuscripts, A alone has δδόντων ἐλεφαντίνων καὶ πιθήκων καὶ ταῶνων.³

The same three words in II Chron. 9:21 are rendered by δδόντων ἐλεφαντίνων καὶ πιθήκων. Even A agrees (omitting καὶ ταῶνων, which it gives in the parallel passage of Kings). Of the manuscripts of the Lucianic tradition 19 and 108 add καὶ τεχειμ, 93 adds καὶ τεχειμ, and 158 adds καὶ τεκχημ.⁴ In the margin of 108 the word σφιγγῶν (93 has σφινγι) is given by way of interpretation. In 158 this word is taken into the text. The word is the name of a species of Ethiopian monkey, and was doubtless suggested by the preceding word πιθήκων.

¹ *Grammar of the Dravidian Languages*, ed. 2 (1875), p. 461; ed. 3 (1913), p. 574.

² The same variant occurs in the translation of *almug* (*algum*) in I Kings 10:11 and II Chron. 9:10.

³ Notice that B and L agree. For the affinity of B and L see Rahlfs, *Septuaginta-Studien*, III, 290-91, and Moore, *AJSL*, XXIX, 61.

⁴ Torrey, *Esra Studies*, pp. 70, 80, thinks that this transcription in the Lucianic tradition comes from Theodotion.

A is far less trustworthy than B for the text of Kings, for A seems to have been revised by a comparison with the Hebrew text.¹ As in the case of *almug* (*algun*) there is a curious discrepancy in the Greek translations of the same Hebrew words (at least in our Massoretic text) in the two parallel passages. This fact in itself arouses the suspicion that the translators were not in possession of any certain traditional interpretation of the meaning of the words themselves. The Septuagint is in general of very little assistance in the matter of obscure Hebrew words. Kings and Chronicles were much read and much revised. Both the present Greek and Hebrew texts are late and uncertain. The relation of the present Greek text of Kings to the present Greek text of Chronicles, and the relation of both to the Massoretic and pre-Massoretic Hebrew texts, are questions of great difficulty.²

Several minuscules and two or three of the versions show 'mixed readings' in I Kings 10:22 (a combination of the readings of the B type and of the A type), 'hewn and carved stones' plus 'ivory and apes' (or 'ivory, apes, and peacocks').³ This seems to be a later Hexaplaric synthesis and an effort to unify the two traditions. The long combined reading cannot be original as a translation of the three Hebrew words. If it is true that A was revised and unified (for Kings) by a comparison with the Massoretic text it is impossible that the original Greek texts of Kings and Chronicles could have had 'ivory, apes, and peacocks' in both places. Torrey may be right in his general estimate of A for Chronicles, but there A and B agree

¹ See Kittel, *op. cit.*, pp. xlii-xiv; Šanda, *op. cit.*, pp. xlii; Swete, *Introduction to the Old Testament in Greek*, pp. 487-89, 529-30; Hrozný, *Die Abweichungen des Codex Vaticanus vom Hebräischen Texte in den Königsbüchern*; Moore, *AJSL*, XXIX, 55 ff.; Rahlfs, *Septuaginta-Studien*, III, 129-30; Silberstein, *ZATW*, 1893, pp. 5 ff., and 1894, p. 26; Olmstead, *AJSL*, XXX, 25-28, and XXXI, 170-74. Torrey, *Ezra Studies*, pp. 91-96, argues that A is by far the best manuscript for Chronicles, and that B has been much revised and is full of Hexaplar readings. Even if this conclusion is correct, it by no means applies to Kings. There was no unified original Greek translation of the Old Testament. There were independent translations of single books or groups of books. The text of each book must be treated on its own merits. Torrey's conclusions are supported by Procksch, *Septuaginta-Studien*, p. 59, for the text of the Prophets.

² See in general Burney, *Notes on the Hebrew Text of the Books of Kings*, pp. xix ff.; Šanda, *op. cit.*, pp. xli ff.; Kittel, *op. cit.*, pp. xlii ff.; Swete, *Introduction*, pp. 320, 439, 445-46; Moore, *AJSL*, XXIX, 51 ff.; Olmstead, *AJSL*, XXX, 2, 26-27, 30, 34-35, and XXXI, 188 ff.; Torrey, *Ezra Studies*, pp. 63 ff.; Smith, *The Old Testament in the Jewish Church*, pp. 61-62, 126-27.

³ See Holmes and Parsons, *Vetus Testamentum Graecum*; Field's *Hexapla*; Silberstein, *ZATW*, 1894, pp. 5-6.

in this passage, and neither has 'peacocks.' Has B been revised to A in this passage of Chronicles? Did it originally have another reading? If A is correct in Kings there is no good way of accounting for *λίθων τορευτῶν καὶ πελεκητῶν* of B as a mere textual corruption.¹ The variant must be based on a real difference of opinion and intention. The transliteration of the Lucianic manuscripts increases the suspicion that there was no certain traditional interpretation of the word *thukkiyyim* as 'peacocks.' Whoever made the transcription (Theodotion according to Torrey) knew no such tradition. If he found any general agreement among the manuscripts in reading *ταῶνων* it is not likely that he would have questioned the word.²

Is it certain that the Massoretic text of these two parallel passages reflects the Hebrew original, or even that the original Hebrew texts of Kings and Chronicles had the same words in the two passages?³ Is the Massoretic uniformity due to a revision or do the wide discrepancies of the Greek texts merely imply two different guesses by the Greek translators?⁴ Is the omission of *καὶ ταῶνων* (in Chronicles) merely a scribal error in A? One of the Hebrew words seems to be omitted. Is the same true of B, which (in Chronicles) has 'ivory and apes' and omits *thukkiyyim*? If 'peacocks' was in the original Greek texts of Kings and Chronicles it is unbelievable that it should be missing in the B tradition in both passages, doubted by the Lucianic tradition in Chronicles and omitted in Kings, and found only once in the A tradition. No good explanation has yet been

¹ Šanda, *op. cit.*, p. 287, thinks that *πελεκητῶν* of B is merely a corruption of *πιδῆκων* of A. There is nothing in favor of this suggestion, and no explanation is offered for the corruption of *ἰδόντων δεφαντίων* to *λίθων τορευτῶν* and for the omission of *ταῶνων*.

² For the value of the Lucianic tradition see Olmstead, *AJSL*, XXXI, 171; Moore, *AJSL*, XXIX, 54-62; Rahlfs, *Septuaginta-Studien*, III, 290-95. According to Torrey, *Esra Studies*, pp. 102-3, 105 ff., the value of L is slight, for it has been extensively conformed to the Massoretic text, its Greek has been very much contaminated from other Greek texts, and it shows conflation from various sources. Cf. Procksch, *Septuaginta-Studien*, p. 87, for the value of L in the Prophets. At present it is impossible to reach the Ur-Lucian, and the general value of the present Lucianic text is uncertain.

³ Swete, *Introduction*, pp. 238-39, concludes that, in this portion of Kings, B represents a translation from a recension older than the Massoretic text, and that, for this portion of Kings, A represents the Hexaplar Greek. Olmstead, *AJSL*, XXXI, 188 ff., discusses the disorder of the Massoretic text of Kings, and *ibid.*, p. 201, argues for a revision of the present Hebrew text of Kings to that of Chronicles in post-Quinta times.

⁴ For the "guesses" of the Greek translators see Smith, *The Old Testament in the Jewish Church*, pp. 38-40, 76. I have even less confidence in the Greek of our passages than in the Hebrew, although the evidence of Josephus, to be discussed later, seems to point strongly to the conclusion that the Hebrew is corrupt.

given for the B and L translations of the three Hebrew words in the passage of Kings. It is most unlikely that it can be due merely to a corruption of the text, and there is not the slightest reason for thinking that it is due to a later revision and correction of the A reading by B. There were probably two independent translations, and the A reading in Kings is due to a later revision. However, as will be seen presently, the translation 'ivory and apes' is as old as the time of Josephus. Josephus does not have 'peacocks.'

70A9 Josephus (*Ant.* 8. 7. 2) furnishes information on the passages in question which is much earlier than the date of our present Greek or Hebrew texts. He translates ἐλέφας αἰθιοπὲς τε καὶ πίθηκοι. Whether he followed the interpretation of II Chron. 9:21, or for some other reason, he states that the ships sailed ^{το} εἰς τὰ ^{ἡ ἀπὸ τῆς Ἰνδίας} ἐνδοτέρω τῶν ἑθνῶν, and does not bring this voyage into connection with Ophir and India as he does the other voyage (*Ant.* 8. 7. 1). If Josephus here followed a Greek text that text could not have had καὶ ταύρων.¹ If he followed a Hebrew text that text must have had a different reading from our Massoretic one, or if it did have *thukkiyyim* Josephus did not understand the word, and emended or guessed. It has been suggested that he read *sukkiyyim* for *thukkiyyim*. The word occurs in II Chron. 12:3 and is translated by the Septuagint as Τρογλοδύται.² Josephus certainly knew no tradition which included peacocks among the imports from Ophir. If he had he would surely have made India the goal of this voyage too.

The Vulgate, the Peshitto, the Targums, and the Arabic translation render *thukkiyyim* by 'peacocks.' Oppert³ argues that Josephus and the translators of the Septuagint did not know the true meaning

¹ Swete, *Introduction*, p. 379, on the basis of A. Mez, *Die Bibel des Josephus*, concludes that the text of the Septuagint used by Josephus had no affinity with the B text, but followed the Ur-Lucian text. If so, what did the Ur-Lucian have for the τεχνη of our present Lucianic manuscripts, which according to Torrey is the transliteration of Theodotion? Against Mez see the strictures of Rahlfs, *Septuaginta-Studien*, III, 92-103, 111; Moore, *AJSL*, XXIX, 59; Torrey, *Ezra Studies*, pp. 102-3; Šanda, *op. cit.*, pp. xviii-xix.

² See Bochart, *Geographia Sacra*, ed. 4 (1707), p. 138; Oppert, *Zeitschrift für Ethnologie*, XXXV, 247-49; Stade-Schwally, *The Books of Kings* (in the Polychrome Bible), p. 119; Šanda, *op. cit.*, pp. 289-90; Niebuhr, *OLZ*, III, 69; W. M. Müller, *OLZ*, III, 269; Winckler, *OLZ*, IV, 148; Glaser, *Beilage zur Allgemeinen Zeitung*, Munich, 1902, No. 271, pp. 370 ff., referred to by Döllner, *Geographische und ethnographische Studien zum III. und IV. Bücher der Könige*, p. 149.

³ *Zeitschrift für Ethnologie*, XXXV, 224.

of the words, but that Jerome and the Targums followed an old, reliable tradition and translated correctly. But, as Burney remarks,¹ the Targums have a tendency to paraphrase and to insert explanatory remarks without any equivalent in the original. They are almost negligible for the reconstruction of the original text. Jerome in I Kings 10:11 and II Chron. 9:11 translates *almug* (*algun*) by *thyina*, while in II Chron. 2:8 he translates the same word by *pineae*. For this obscure word he had no certain traditional interpretation. Is it likely that he had a certain traditional interpretation for the equally obscure word *thukkiyyim*? Moreover, the Targums and the Peshitto merely transliterate *qophim* without translation.² Is it likely that they were in possession of any certain traditional interpretation of the following word *thukkiyyim*? Oppert's treatment of the evidence is subjective and arbitrary.

Eupolemos, who lived in the second century B.C., has the following striking passage,³ preserved by Eusebius from Alexander Polyhistor in Praep. Evang. 9. 30: ἀκούσαντα δὲ τὸν Δαβὶδ πλοῖα ναυπηγῆσαι ἐν Ἑλλάνιοι πόλει τῆς Ἀραβίας, καὶ πέμψαι μεταλλευτὰς εἰς τὴν Οὐφρῇ νῆσον κειμένην ἐν τῇ ἐρυθρᾷ θαλάσῃ, μέταλλα χρυσικὰ ἔχουσαν. καὶ τὸ χρυσίον ἐκεῖθεν μετακομίσαι τοὺς μεταλλευτὰς εἰς τὴν Ἰουδαίαν. This passage may be based on I Chron. 29:4, which states that David had prepared for the building of the temple 'three thousand talents of gold, of the gold of Ophir.' The authority of Eupolemos for locating Οὐφρῇ in the Red Sea⁴ is unknown.⁵ Bochart emended to Οὐρφῇ and identified it with Ophir. This emendation and identification with Ophir are doubtless correct. Whatever may have been the source of Eupolemos for the location of Ophir and whatever we may believe about his reliability as a historian, it is clear that he knew no tradition which, in the second century B.C., connected Ophir with

¹ Notes on the Hebrew Text of the Books of Kings, pp. xxxi-xxxii. See also Smith, The Old Testament in the Jewish Church, p. 56; Olmstead, AJSL, XXXI, 173.

² Burney, Notes on the Hebrew Text of the Books of Kings, p. 149.

³ Text in Freudenthal, Alexander Polyhistor, p. 226.

⁴ The term "Red Sea" was used loosely and was by no means restricted to what we now call the Red Sea.

⁵ Geographia Sacra, ed. 4 (1707), p. 138. Keane, The Gold of Ophir, p. 226, ascribes the emendation to Gesenius. See also Freudenthal, Alexander Polyhistor, p. 210; Rahlfs, Septuaginta-Studien, III, 112-13; Döllner, op. cit., pp. 150-51; Oppert, Zeitschrift für Ethnologie, XXXV, 238.

India. Keane¹ rules Eupolemos out of court entirely as 'untrustworthy because he was an "obscure writer."' Some better reason than that must be found if the passage is to be disregarded entirely. Did Eupolemos have I Kings 10:11-12 and 21-22 and II Chron. 9:10-11 and 21 at all in the text which lay before him? He makes no mention of *almug* (*algum*), 'ivory, apes, and peacocks.' Of course he may have singled out gold as being the most important product of the voyages to Ophir. The omission is significant, although not conclusive.

Josephus (*Ant.* 8. 6. 4) refers to Ophir in the following words: Σώφειραν, νῦν δὲ χρυσὴν γῆν καλουμένην (τῆς Ἰνδικῆς ἐστὶν αὕτη). In another passage (*Ant.* 1. 1. 3) he identifies the river Pison with the Ganges.² In a third passage (*Ant.* 1. 6. 4), which refers to Gen. 10:29, he says: Οὗτοι ἀπὸ Κωφῆνος ποταμοῦ τῆς Ἰνδικῆς καὶ τῆς πρὸς αὐτῷ Ἀρίας τινὰ κατοικοῦσι. In the Old Testament the name India is found first in Esther (1:1 and 8:9) and in I Esdras (3:2).³ The dates are uncertain, but the texts are probably not earlier than the third century B.C. The name Golden Land (or Golden Island), later described as a peninsula and called the Golden Chersonese, came into the limelight at precisely the time when Josephus was writing. We can trace the development of the accurate knowledge of India and of the idea of India as a fabled land of gold from Pomponius Mela (3. 7. 7), Pliny (*N.H.* 6. 55), and the *Periplus* (63) to Marinus of Tyre (ca. 100 A.D.) and Ptolemy.⁴ Is it not significant that the first identification of Ophir with India should come from precisely this time? Is it not likely to be due to more than a mere coincidence? India is a land of gold, the river Pison 'which compasseth the whole land of Havilah, where there is gold' (Gen. 2:11) is identified with the Ganges; it is thought that the sons of Shem colonized India; and the new geographic knowledge is used freely as an aid in the interpretation of the Old Testament.

¹ *The Gold of Ophir*, pp. 149, 226.

² This identification is frequently repeated later. See, for instance, Ambrose, in *Patrologia Latina*, XIV, 296; Jerome, *ibid.*, XXII, 1074, and XXIII, 938; Augustine, *ibid.*, XXXIV, 203; Epiphanius, in *Patrologia Graeca*, XLIII, 119.

³ For the passage of Esdras see Torrey, *Ezra Studies*, p. 50.

⁴ Berger, *Geschichte der wissenschaftlichen Erdkunde der Griechen*, ed. 2 (1903), pp. 586, 606 ff.

In Gen. 10:29 it is said that Ophir and the other sons of Joktan dwelt near Σωφηνά (Σωφάρὰ), ὅρος Ἀνατολῶν. Compare with this the passage of Josephus (*Ant.* 8. 6. 4) quoted above. In several passages where Ophir is mentioned the name occurs in several different spellings with a prefixed Σ. It has been suggested that this spelling is due to a dittography from the preceding εἰς.¹ Oppert² argues that the unaspirated vowel became weakly aspirated and that the aspirate then became S. This would be the reverse of the process by which Sindhu became Ἰνδός. There is, however, much to be said in favor of the suggestion³ that the point of departure was the passage Gen. 10:29-30, which states that Ophir dwelt near Sopheira, a mountain of the east.* As India came into prominence as a land of gold, the fact that gold was obtained from Ophir and that Ophir dwelt in the east near a mountain named Sopheira, and the fact that the Pison, identified with the Ganges, surrounded the land of Havilah where there was gold, were made the point of departure for locating Ophir in India and for the spelling of the name with a Σ. Note also the significant passage of Jerome.⁴ *Sophera, quae est et Sophir, unde veniebant naves Salomonis. Est enim mons Orientis pertinens ad Indiae regionem.* The argument of Kircher,⁵ that the Coptic word for India (Sophir) proves that originally in old Egyptian the word Ophir had an initial S, is fallacious. Coptic is so late and so much dependent on Greek that the word Sophir was certainly borrowed from the Greek form with prefixed S.⁶

Gesenius⁷ supported the translation of *thukkiyyim* as 'peacock' by a comparison with *tokei*, a Dravidian word for 'peacock.' Lassen⁸ further adduced the Sanskrit word *sikhin*, from which he assumed that the Dravidian word *tokei* was derived (mit Dekhanischer Aussprache). These comparisons have met with almost universal

¹ Rahlfs, *Septuaginta-Studien*, III, 100.

² *Zeitschrift für Ethnologie*, XXXV, 232.

³ Keane, *The Gold of Ophir*, pp. 53, 207.

⁴ *Patrologia Latina*, XXIII, 970.

⁵ *Prodromos Aegyptiacus* (1636), p. 115; followed by several later scholars.

⁶ See the Coptic grammars of Stern, Steindorff, and Mallon. The evidence is conclusive.

⁷ *Wörterbuch* (1834).

⁸ *Indische Alterthumskunde*, I, 438 (1847). Followed by Ritter, *Erdkunde*, XIV, 402 (1848), and popularized by Max Müller, *The Science of Language*, I, 190-91.

acceptance. Caldwell¹ reported that the ordinary Tamil word for 'peacock' was *mayil* (from Sanskrit *mayūra*), that the peacock was sometimes called *śiki* (from Sanskrit *śikhin*), but that the old word was *tōkei*, pronounced *tōgei* and derived from a root meaning 'to hang.' The existence of the word *śiki* invalidates the derivation of *tokei* from Sanskrit *śikhin*. *Tokei* is an epithet meaning 'the bird with a hanging tail.' *Śikhin* is an epithet meaning 'the crested bird.' The two words are not related.² The earliest Sanskrit word for 'peacock' is *mayūra*, which is found in the Rig Veda.³ *Śikhin*, used metaphorically to denote the peacock, occurs first in the Prātisākhya of the Rig Veda (ca. 600 B.C.). There is no evidence that the word was so used in the tenth century B.C. At present Tamil is without a chronological backbone, and we have no historical dictionary. Caldwell, much too conservatively, dated no piece of Tamil literature before the tenth century A.D. There is now a growing tendency, as Tamil literature is studied more critically, to regard the second and third centuries A.D. as the great period of Tamil history and literature.⁴ However that may be, there is not the slightest proof that the word *tokei* was used in the sense of 'peacock' in the tenth century B.C. We know nothing about Southern India until the time of Aśoka (third century B.C.), not even whether the Tamil people dwelt, in the tenth century B.C., in that part of India now inhabited by them. At present the comparison of *thukkiyyim* with *tokei* is of no historical value.

Greek *ταῶς* or *ταῶς*, Attic *ταῶς* (according to Trypho *apud* Athenaeus 9. 397e), has by almost universal consent been derived from the Hebrew word *thukkiyyim*,⁵ and confirmation is found therein for the belief that 'peacock' is the true meaning of the latter. The Greek word is usually transliterated *tahos*, but the rough breathing really

¹ *Grammar of the Dravidian Languages*, ed. 2 (1875), pp. 91-92; ed. 3 (1913), p. 88.

— For a careful discussion of the Dravidian words for 'peacock' see Vinson, *Revue de linguistique*, **XX**, 120-28. See also Weber, *Skizze*, p. 74, n.; Oppert, *Zeitschrift für Ethnologie*, **XXXV**, 246.

² See Zimmer, *Altindisches Leben*, p. 90; Macdonell and Keith, *Vedic Index*, II, 134.

³ See Vincent Smith, *The Early History of India*, ed. 3 (1914), pp. 438 ff.; Pillai, *The Tamils Eighteen Hundred Years Ago*; Aiyangar, *Ancient India* (especially pp. 336 ff.); K. V. Subrahmanya Aiyer, *Historical Sketches of Ancient Dekkan*, pp. 82-94.

⁵ See Hahn, *Die Haustiere*, p. 317; Hehn, *Kulturpflanzen und Haustiere*, ed. 7, p. 349, ed. 8, p. 355; Keller, *Die antike Tierwelt*, II, 152; Thompson, *A Glossary of Greek Birds*, pp. 164-67.

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stands for a digamma. The right transliteration would seem to be *tavos*. The *h* seems to give a fictitious approximation to the Hebrew word. The linguistic resemblance between *tavos* and *thukkiyyīm* is slight. Compare the close transcription *τεχευ* of the Lucianic manuscripts. I can see no plausible explanation for the conversion of *thukkiyyīm* into *tavos* by any possible phonetics. To be sure, words taken into one language from another often show strange changes, but there is always some sort of phonetic approximation.

Lewy¹ connects the Greek words with Hebrew *ta' āwā* 'Begehrenswürdiges, Anziehendes.' Halévy² thinks that the Greek word is derived from Aramaic *tawus*, which comes from *tawsā* 'volant, volatile.'

The peacock was known in Athens toward the end of the fifth century B.C., and there is good reason for believing that it came to Athens from Samos, where it was used in the cult of Hera.³ Did it come to Samos from Palestine, Phoenicia, or Babylon? As yet no representation of the peacock on Assyrian monuments seems to be known. Meissner⁴ suggests that the peacock may be intended in a description of wonderful birds 'deren Schwingen blau gefärbt waren' received as tribute by Tiglath-Pileser (738 B.C.), but no name for the birds is given, nor is the place from which they came mentioned.

The Baveru Jātaka relates how a peacock (*mora* from Sanskrit *mayūra*) was taken to a place called Baveru (suspected of being Babiru, Babylon).⁵ The story may possibly reflect events of the fifth or sixth centuries B.C. The identification with Babylon is credible, but is not certain.⁶

¹ *Die Semitischen Fremdwörter in Griechischen*, p. 11.

² *Journal asiatique*, II (1913), 710-13.

³ See the discussions of Hahn, Hehn, Keller, and Thompson referred to above.

⁴ *OLZ*, 1913, pp. 292-93; cf. Laufer, *ibid.*, pp. 539-40.

⁵ See Minayeff, *Mélanges asiatiques*, VI (1871), 577-79; Kennedy, *JRAS*, 1898, p. 269; Chavannes, *T'oung Pao*, 1913, p. 791; Halévy, *Revue sémitique*, 1895, pp. 268-75.

⁶ The material for the following note was given to me by Berthold Laufer, of the Field Museum. It may be of general interest, although it does not bear directly on the present problem. The annals of the later Han dynasty (*Hou Han shu*, chap. 118) state with reference to the country *T'iao-ti*: "This country is hot and moist; it produces lions, rhinoceros, humped oxen (zebu), peacocks, and giant birds (ostriches)"; cf. Hirth, *China and the Roman Orient*, p. 38; Chavannes, "Les pays d'occident d'après le Hou Han Chou," *T'oung Pao*, 1907, p. 176. Hirth has treated the text also in *Syrisch-chinesische Beziehungen*, appendix to R. Oberhummer and Zimmerer, *Durch Syrien und*

Recently Clay¹ has reported that among the accounts of the Babylonian merchants Murashu and Sons (fifth century B.C.) there is a reference to a settlement of Hi-in-da-ai, and has suggested that the passage refers to a settlement of Indians in Babylon at that time. If so, the fact would furnish an easy explanation of the presence of peacocks in Athens at the end of the fifth century. After the conquest of Northwestern India by Darius at the end of the sixth century B.C. there seems to have been much intercourse between India and Persia.

Further, Petrie reproduces several terra-cotta heads from the foreign quarter of Memphis which seem to represent Indians.² He ascribes them to the period between 500 and 200 B.C. The identification of the figures as Indian is very probable.

Persian *tāūs* 'peacock' has not yet been traced back into Middle or Old Persian so far as I know. Is it an early Persian word or is it borrowed from the Greek? Is the same true of Arabic *tāwus*? Horn³ suggests that *tāwus* (also a Persian form) means 'bird' in general, and thinks that the same may be true of Latin *pavus*. This is not probable. Lagarde⁴ suggests that *ταῶς* may be a mistake for *παῶς*,⁵ and that this is an older form of the Armenian word *hav* 'bird.' But it seems that Armenian *hav* is connected etymologically with Latin *avis* and that the *h* is not original.⁶ Muss-Arnolt⁷ refers to Möhl, *Mém.*, VII, 420, rem. 4 for Tataric *ta'uq* 'peacock.' The reference seems to be wrong. At any rate the information is incorrect. Radloff (III, col. 987) gives *tavus* or *tawys* as the Turkish

Kleinasien. *T'iao-ti* is usually translated "Chaldea" (cf. Hirth, *op. cit.*, pp. 144 ff.). Chavannes regards it as the Arabic kingdom Characene founded between 130 and 127 A.C. in Mesene at the mouth of the Tigris. A spontaneous occurrence of the peacock in the Tigris Valley is out of the question; perhaps the domesticated birds, transported there from India, were released and reverted to the wild state. The text, if the reading of the Han annals is correct, merely proves that in the first century of the Christian Era peacocks were known in the lower Tigris region. At that time the Chinese were familiar with the bird from Indo-China.

¹ *The Babylonian Expedition of the University of Pennsylvania*, X, viii.

² *Memphis I*, Pl. 39 and pp. 16-17; *Meydum and Memphis III*, Fig. 149 and p. 46.

³ *IF*, II, 141.

⁴ *Baktrische Lexicographie*, p. 65.

⁵ The Latin and Greek words may be merely linguistic variants of one original form. See Wood, *Classical Philology*, XIV, 268.

⁶ See Hübschmann, *Armenische Grammatik*, p. 465; Liden, *Armenische Studien*, p. 83; Meillet, *MSLP*, VII, 162; F. Müller, *WZKM*, VIII, 282.

⁷ *Trans. Am. Phil. Assn.*, 1892, p. 100.

word for 'peacock.' *Tavuk*, *tawyk*, or *tauk* means 'chicken.' Hüsing¹ gives *thaus* or *thavus* as the common word for 'peacock' in the languages of the Caucasus. Dialectic forms are *thataguš*, *nitukuš*, and *thauskuš*.

The origin of all these forms which resemble the Greek word so closely, and are undoubtedly connected with it, is uncertain, and the center from which the borrowing took place cannot yet be determined. The clue may eventually be found in Babylonia, unless Halévy is right in deriving the word from Aramaic, or Lewy in deriving it from Hebrew. It is extremely doubtful whether any of these words has any connection with *thukkiyyīm*, even assuming that that form is correct.

The available evidence seems to show that there was no certain tradition among the Hebrews that Ophir was located in India or that *thukkiyyīm* (if that reading be correct) meant 'peacock.' Eupolemos, in the second century B.C., was ignorant of any such tradition. The identification of Ophir with India by Josephus was made at precisely the time when India had become famous as a land of gold. In the face of the evidence presented above it is most unlikely that Jerome and the Targums preserved any old tradition, which, running subterraneously for centuries, came to the surface for the first time in the third and fourth centuries A.D. and found literary expression then for the first time. It is much more likely that they merely copied the current opinion. It was the identification of Ophir with India (both being lands of gold) which led to the effort to identify the obscure Hebrew word with the name of some Indian product. By the time of Josephus 'ivory and apes' had been fixed upon by at least one school of interpreters as the meaning of *šenhabbīm qophīm*. Those who believed that the voyage of I Kings 10:21-22 was to India sought in the third obscure word the name of some Indian animal to correspond to the elephants and apes, and fixed upon the famous and prized Indian bird. The peacock was all the rage in Rome during the early Empire. Note that the 'pine wood' of the Septuagint (II Chron. 2:8) is obviously a guess based on the preceding words 'cedar and cypress (fir?),' and that in three Lucianic manuscripts *τεχεῖμ* is explained by a gloss, based on the context, as

¹ OLZ, 1914, p. 301.

referring to a species of monkey from Ethiopia. With this tautology 'apes and monkeys' and with the 'Ethiopians' of Josephus compare the Egyptian account of an expedition to Punt which brought back, among other things, 'apes and monkeys' and 'natives and their children.'¹

It is believed by many careful students of the Hebrew text that the verses in which the words *šenhabbīm*, *qophīm*, and *thukkiyyīm* occur are later additions to the original Hebrew text. If the reading *thukkiyyīm* is correct, and if the comparison with Dravidian *tokei* is valid, the verses may have been added to the Hebrew text some time after the sixth century B.C., when the peacock was known in Palestine. Per se there is no serious objection to the comparison of *thukkiyyīm* to *tokei*. But there is good reason to doubt the reading *thukkiyyīm* and it is very doubtful chronologically whether we can assume that *tokei* was used to denote the peacock in the tenth or even in the sixth century B.C.

The earliest certain evidence for navigation on the Indian Ocean is that found in a passage of Herodotus (4. 44). Toward the end of the sixth century B.C., Darius sent the Greek Skylax on an expedition across Persia, down the Indus by boat, and along the coast of Persia and Arabia to Arsinoe (near Suez).² After this voyage of exploration Darius conquered the northwestern part of India and 'made use of that sea.' However, it is certain that the Indian Brāhmī alphabet was borrowed from some Semitic alphabet.³ This implies commercial intercourse with the West. Bühler argues for 800 B.C. as the date of the borrowing. Kennedy argues for 600 B.C. None of the Indian evidence for the existence of writing can be dated with certainty before the fourth or fifth centuries B.C.⁴ The earliest Greek evidence is Nearchus *apud* Strabo (15. 1. 67). That is 325 B.C. The earliest Indian inscriptions come from the third century B.C. There is no way of dating the initial borrowing, and it is not yet certain whether

¹ Breasted, *Records*, II, 109.

² See Berger, *Geschichte der wissenschaftlichen Erdkunde der Griechen*, pp. 61, 73-74; Reese, *Die Griechischen Nachrichten über Indien*, pp. 39-52.

³ See Bühler, *On the Origin of the Indian Brāhma Alphabet and Indische Palaeographie*, p. 17 (in *Grundriss der Indo-arischen Philologie*); Kennedy, *JRAS*, 1898, pp. 274-75.

⁴ See Rhys Davids, *Buddhist India*, pp. 107 ff.

the model was a North Semitic or a South Semitic alphabet.¹ This evidence is not sufficient to cover the gap between the sixth century and the tenth century B.C. Does the word *thukkiyyīm* do so? In the light of the evidence presented above this seems to me very doubtful. A priori it is perfectly possible that there may have been navigation on the Indian Ocean as early as the tenth century B.C., but history in its reconstruction of the past must proceed on the basis of certain fact, not on the basis of what may or may not have been possible. ~

Discussion of the emendations which have been proposed for the words *šenhabbīm*, *qophīm*, and *thukkiyyīm*, and of the other identifications such as 'parrots' and 'guinea fowl' which have been proposed for *thukkiyyīm*, has been purposely omitted.

The text criticism of the Old Testament is entirely outside of my own field. These jottings and suggestions have been made in the hope that some Old Testament scholar may be induced to subject the passages under discussion to a more searching textual criticism. The Ethiopic versions, for instance, are beyond my reach.

¹ W. Max Müller has recently argued (*OLZ*, 1912, p. 541), contrary to the generally accepted view, that the model was a South Semitic alphabet.

KASHSHITES, ASSYRIANS, AND THE BALANCE OF POWER

BY A. T. OLMSTEAD
University of Illinois, Urbana

Few conquerors left so vital an impress upon Babylonian life as did the Kashshites, yet we must admit that we know practically nothing of their race or of their earlier history. We find a casual reference or two in the business documents which prove some of their race in Babylonia, as laborers or as common peasants; one of their chiefs was in the service of Ammi zaduga; once, in the time of Samsu iluna, they raided Babylonia.¹ When next we meet them, they are themselves rulers of Babylonia.

First of these kings of the "Third Babylonian Dynasty" comes Gandash (1745-1729),² who calls himself "King of the Four World Regions, King of Shumer and Akkad, King of Babylon." He restores the temple of Bel Marduk, damaged "in the conquest of Babylon," as piously as any native ruler, and no one would suspect from his tone that he was the Elamite conqueror who caused the loss.³ His son, the first Agum (1729-1707), was followed by Kash-

¹ King, *Letters*, III, 242; *CT*, VI, 23b; *VS*, VII, 64, 183 ff.; Ungnad, *BA*, VI, 5, 22.

² The chronology of the second millennium B.C. cannot at present be fixed with exact accuracy. Our main source is the king list A which gives the succession of dynasties from the third to the seventh inclusive, with the length of reign in each case. Our only difficulty has been to find a fixed point to date the whole list. Such a fixed point has not been discovered, but by the utilization of all the facts we can date within very close limits. It has not previously been observed that if we accept the king list dates for the Second Dynasty, impossible as they seem (cf. *AJSL*, XXXV, 100), the dynasty extends from 2053 (cf. *AJSL*, XXXV, 96) to 1685. Now the last king, Ea gamil, was contemporary with Kashtiliash, third king of the Third Dynasty, cf. below. If we assume that the last year of Ea gamil was the first of Kashtiliash, which is probably not far from the truth, we may date the whole series and we shall not have one single conflict with the evidence, which by this time is far too full for this to happen if the conclusion is not approximately correct. Every synchronism with Egypt is met, if we accept the dates which Breasted, *History of Egypt*, 599, has developed from Meyer, *Aegyptische Chronologie*. The synchronism of the Hittite treaty with the short reign of Kadeshman Enlil II is especially striking. Another synchronism which fits the scheme is that which dates the death of Marduk nadin ahe to about 1107 through the reference of Sennacherib to Tiglath Pileser I. A third point of some importance is the fact that sufficient time is allowed in each case for father to beget son at a normal age. In the list many of the names are missing or without length of reign, but with the evidence before us these can now be dated with rarely more than ten years' error relative to the remainder of the list, where the margin of error is about the same.

³ Pinches, *Bab. Or. Rec.*, I, 54, 78; Winckler, *Untersuch.*, 34, 156; cf. Hilprecht, *ZA*, VII, 309, n. 4; *OBI*, 23 ff.; I, 28 ff.; King, *Chron.*, I, 103 n.

tiliash I (1707-1685), who may mark a change in dynasty.¹ Ea gamil, the last king of the Sealands dynasty, took advantage of the change in rulers to make a final effort to beat off the Kashshites by invading their Elamite homeland. He was driven off by the king's brother, Ulam Buriash, who then "conquered the Sea Land and exercised dominion over the country,"² in proof of which we find his own mace head on which he calls himself "King of the Sea Land."³ Relations with the Elamite country of Anzan were not satisfactory, for Untash gal, the son of Huban Numena, its king, carried off Immeria, the "protecting god of Kashtiliash," and placed the statue in Sian.⁴ The Sea Land did not long remain Kashshite, for the inhabitants rose, and shortly after Agum, a son of King Kashtiliash, must march against them. The center of the revolt was Dur Ea, a fort which appropriately received its name from the god of the deep, and the rebels were not finally subdued until Emalga uruna, the god's temple within it, was razed to the ground. Its place was taken by a fort with his own name, Dur Agum, which long endured.⁵

Kashtiliash was succeeded by two sons, Ushshi (1685-1677) and Abi rattash, by a grandson Tashshigurumush, and a great-grandson Agum kakrime, but our lists are now broken and we cannot date with relative accuracy. The Shumerian inscription of the last named has come down to us in a translation made for the Assyrian king Ashur bani apal.⁶ The new titulary is most instructive. First of all Agum kakrime places "King of Kashshu" and next "King of Akkad," so that we might almost assume that he deliberately substituted Kashshu for Shumer when imitating the old

¹ Ulam Buriash says he was the son of Burna Buriash, Agum kakrime that he was the *aplu reshtu* of Agum the elder, I, 18 f., but this may be reconciled by understanding the phrase as meaning "inheritor," not "eldest son"; cf. King, *Babylon*, 217, n. 2. We can hardly follow Thureau-Dangin, *OLZ*, XI, 31 ff., in making a new group, Burna Buriash, Kashtiliash, and Agum III.

² Chron. II, 11 ff.

³ Weissbach, *Bab. Miscel.*, 3; King, *Chron.*, I, 151.

⁴ Del, X, 85.

⁵ Chron. II, 14 ff.; cf. King, *Chron.*, I, 101 ff.; Thureau-Dangin, *ZA*, XXI, 176 ff., reads it Dür-Enlil; Luckenbill, *AJSL*, XXIX, 232, then identifies it with the frequently mentioned place in Clay, *Doc. Cassite Rulers*.

⁶ II R, 38, 2; V R, 33; Smith, *Disc.*, 225 ff.; Boscawen, *TSBA*, IV, 132 ff.; *RP*, VII, 1 ff.; Hommel, *Gesch.*, 421 ff.; *OLZ*, XII, 108 ff.; Winckler, *Forsch.*, I, 517 f.; Delitzsch, *Kossder*, 55 ff.; Jensen, *KB*, III, 1, 134 ff.; Muss-Arnolt, in Harper, *Lit.*, 3 ff.; Thureau-Dangin, *OLZ*, XI, 31 ff.; Peiser, *OLZ*, XIII, 68.

expression "King of Shumer and Akkad." Only then does he call himself "King of the broad land of Babylon." After this, he is once more back to the Elamite frontier with his "granter of dwelling places to the numerous men of Tupliash, King of Padan and Alman,¹ King of the Guti, a stupid people, who rules the Four World Regions." This fine list of titles makes claim to much of Elam and Babylonia, though he seems not to have possessed the southern half of the latter. The main object of the inscription is to record the bringing back of the images of Marduk and Sarpanitum from their long captivity in Hana.² Agum kakrime says nothing of any war for their recovery, so we are driven to assume that they were secured through diplomatic negotiation and that he paid well for the privilege.³

We now enter upon a period which is at the same time one of the most interesting and one of the most exasperatingly difficult in all Babylonian history. For the first time in the course of these investigations, we are able to compare authorities from several different empires, when Babylonia was one of a group of almost equally balanced powers which between them divided the civilized world. Such a condition naturally resulted in a great development of diplomacy. We are unusually fortunate in having large parts of the archives of two of the sister-nations, Egypt and the Hittites, while Assyria has left us a record which, if not exactly a diplomatic pièce justificative, as has been sometimes assumed, at least gives us a more or less accurate summary of the most important diplomatic and military dealings with Babylonia.⁴ Although but a comparatively small part of these documents throws any direct light on our problems, their value in forming a background cannot be overestimated, and we must regret that limitations of space prevent their present study.

Subject for equal regret it is that just at this point the king list breaks off and we are not even sure of the names or order of the

¹ Alman is probably Holwan, the Halman near Namar with a governor (*shaknu*) in the Ritti Marduk charter of Nebuchadnezzar I, King, *Boundary Stones*, 35, II, 22. Padan cannot be the Patina in the Euphrates bend as is sometimes assumed.

² Cf. Olmstead, *AJSL*, XXXV, 99.

³ So Rogers, *Hist.*, II, 107; contra, Hall, *Hist.*, 200.

⁴ Olmstead, *Historiography*, 31.

rulers. Certain kings we may place in this dark period, a Kurigalzu and his son Meli Shipak, each the first of the name.¹ Kara Indash I begins a new series. Comparison of his titular with that of Agum kakrime shows instructive changes. Already the rulers are coming under the influence of the country. It is not strange that the time-honored "King of Shumer and Akkad" should gain the ascendancy over the barbarian "King of Kashshu" and be placed before it; it is cause for surprise that both should be given after "King of Babylon." This is our first illustration of the success with which our upstart city not only secured but maintained the precedence over all her predecessors and rivals until finally the country itself took her name. Last of all is given "King of Kar Duniash," the "Wall" of the god of that name, which is first applied to a region in south Babylonia along the Elamite frontier and later comes to be the official Kashshite designation of Babylonia as a whole.²

Kara Indash may be dated about 1420-1408. He is the first king of whom we can say with certainty that he had relations with Egypt. It was probably to him that Thutmose IV (1420-1411) wrote "Establish true brotherhood between us,"³ and it was certainly Kara Indash who corresponded with Amenhotep III (1411-1375),⁴ and gave him his daughter in marriage. He was succeeded by his son Kodashman Enlil I (about 1408 to 1402), who is known to us almost exclusively from the letters to and from him which are preserved in the Egyptian archives. It is hardly an attractive picture of him we secure, for he rarely speaks of anything but international marriages, attempting to marry off his own daughter to the Egyptian, then begging an Egyptian princess for himself, above all, seeking for the "much gold" of Egypt.⁵

In due time, Kodashman Enlil thought no longer of gold and women and his place was taken by Burna Buriash I (about 1402-1397), to be followed in turn by his son Kurigalzu II (about

¹ Weissbach, *Bab. Miscel.*, No. 2, though no royal title is given; we are not to place here a Kodashman harbe, father of Kurigalzu, for the kudurru in which he occurs, *King, Boundary Stones*, 3 f., pl. 1, belongs to Kodashman Enlil II, not the first, and the Kodashman harbe is the father of Kurigalzu III; cf. Clay, *Doc. Cassite Rulers*, No. 39.

² IV R², 36, 3; G. Smith, *TSBA*, I, 68; Winckler, *KB*, III, 1, 152 f.; Schnabel, *OLZ*, XII, 55; Rogers, *Hist.*, II, 114.

³ Knudtzon, *Amarna*, 1.

⁴ *Ibid.*, 3; Uruk Ins., Jordan, *MDOG*, LI, 50 f.

⁵ Knudtzon, *Amarna*, 2, 4.

1397-1392). In his own inscriptions, Kurigalzu never uses the title of king; from the letters of his son Burna Buriash II, we learn that he had close relations with Amenhotep III, and that he refused to assist a threatened revolt of the Canaanites.¹ With Burna Buriash II (about 1392-1367), we come to the last of the Babylonian rulers whose relations with Egypt can be studied at first hand. The reigns of his predecessors had been brief, and he was a mere youth as is proved by the almost unbelievably naïve point of view shown in his letters. His accession took place some time before that of his Egyptian "brother" Amenhotep IV, and we possess the very letter he wrote asking that peace be continued as between their fathers.²

Interesting and enlightening as these letters are, it would be a sad mistake if they left us with the impression that the Kashshite kings did nothing but beg for gold, negotiate for Egyptian wives, or use diplomatic pressure for the protection of their merchants. Doubtless this is what they were intended to make the weak heretic king believe; the reality is not to be found in this group of officially correct letters, it is to be picked out here and there in the letters which trace the progress of the revolt against Egypt in Syria and Palestine. Here we discover a series of well-executed intrigues. Rib Addi, for example, reports that the sons of his old opponent, the Amorite Abd Ashirta, are the dogs of the king of Kashshi land and of the king of Mitani, and they are possessing the land of the king for themselves.³ Again, these two kings are connected with the Hittite ruler in the same general relation.⁴ As far south as Jerusalem, it was necessary for the king, Abdi Hipa, to declare his innocence as regards the Kashshi, that an evil deed has been done against him by the Kashshi, who attempted to assassinate him in his own house.⁵

Perhaps the greatest interest attaches to the letter in which Burna Buriash protests against the recognition of Assyria as an

¹ Lehmann, *ZA*, V, 417; Winckler, *KB*, III, 1, 154 f.

² Knudtzon, *Amarna*, 6.

³ *Ibid.*, 104.

⁴ *Ibid.*, 116.

⁵ *Ibid.*, 287. For inscriptions of reign, *IR*, 4, xiii; *OBI*, 33 f., 132; cf. the riash, son of Kadasman Enlil, *OBI*, 68; Thureau-Dangin, *JA*, X Ser., XI, 122 ff.; Winckler, *KB*, III, 1, 152 f.; Smith, *TSBA*, I, 68; Hilprecht, *Assyriaca*, 93, n. Last certain date, 25-7-10, but one of 27-11-12 may belong here, Radau, *Letters*, 1; Clay, *Temple Administrative Archives*, 64.

independent state, free from vassalage to Babylonia.¹ The appearance on the scene of the Assyrians demands a study of their earlier history.

The city-state appears in the beginning of Assyrian history as in Babylonian but with a difference. In Babylonia, the city-states never really amalgamated. Assyria was more fortunate, for Ashur, whether as city, god, or nation, always dominated the whole region because of the geographical position, and the psychological effect of this unity cannot be too greatly emphasized.

Behind the written history must have extended many centuries of existence, and no doubt in Neolithic times there were already settlers on this defensible position commanding the fertile pocket of soil and the great road as well, but we have not yet found their obsidian implements or their ash beds as in the case of the more northern Nineveh.² The earliest remains yet found show decidedly Shumerian characteristics, roughly hewn of gypsum as they are, in style and in dress.³ It is a commonplace that names of sacred sites are the last to be forgotten of a vanishing population's traces, and we may see good proof of a Shumerian age in the name of the chief shrine at Ashur, E ħarsag kurkurra, "House of the exalted mountain of the lands." Nineveh has the same name as a suburb of Lagash in the days of Eannatum and Gudea, and its temple, E mishmish, is again Shumerian in its meaning. The earliest rulers of whom we have any mention, Kikia, according to Ashur rim nisheshu, builder of the original city wall, and Ushpia, the first king mentioned by Shalmaneser I in reciting the history of E ħarsag kurkurra, must be assigned to this race.⁴

In historical times, it is clear that the ruling race was Semitic, in all probability West Semitic or Amorite,⁵ but this is not the place to discuss a problem which still bristles with difficulties. When history of a sort becomes possible, we are in the presence of an undoubtedly Semitic dynasty. Of this group of at least six rulers who handed down their power from father to son, Kate Ashur is the

¹ Knudtzon, *Amarna*, 9.

² King, *PSBA*, XXXIV, 201.

³ Andr , *MDOG*, LIV, 7.

⁴ *KT A*, 63, 5; 13, III, 33; 51.

⁵ Clay, *Empire of the Amorites*, *passim*.

first, and it is appropriate that in his name should be found the deified city in its earliest form. His son Shalim ahum wrote our first known inscription.¹ Ilu shuma built the house of the goddess Ishtar, the Assyrian, and made an unsuccessful attempt upon Babylonia. As his opponent was Sumu abu, the founder of the First Babylonian dynasty, we can date him not far from 2220.² Erishum tells how he restored the temple of Ashur and built that of Adad, not yet forced to cede a part to Anu, the interloper from the south;³ his son Ikunum erected the temple of the underworld goddess Erish kigal, and rebuilt the city wall;⁴ Shar ken kate Ashur, the last ruler we can definitely assign to this dynasty, followed Babylonian custom in shortening his name to Sharruken, not without remembrance of that Sargon who once had brought so much of the world under his sway, an imitation the more marked in that he too was considered a deity by his subjects and wrote before his name the sign for god.⁵ Soon after, we have another such a family group, Ishme Dagan I, Ashur nirari I, who constructed the city wall and the temple of the elder Bel,⁶ and Kisru sha Ashur who rebuilt the Ishtar temple. Since the last claims Sharruken as his "father," it is not impossible that they also belong to the Kate Ashur dynasty.⁷

The earlier rulers content themselves with the simple title "patesi of the god Ashur," and we may assume that they were dependent on a foreign master. In the case of the next known monarch, Ilil kapkapu, we can prove it. Although we are told by later monarchs that "Ashur called his name in ancient times,"⁸

¹ *MDOG*, XLIV, 30.

² *MDOG*, XLIX, 22; LI, 25; *Chron. K.* 1, II, 14; *King, Chron.*, I, 116; cf. Bezold, *ZA*, XXI, 253.

³ *I R.* 6, II; Winckler, *ZA*, II, pl. III, 10; Schrader, *KB*, I, 2 f.; Budge-King, *Annals*, I, xv, 1; *KTA*, I, 60 f.; Luckenbill, *AJSL*, XXVIII, 166 f., hereafter quoted as Luckenbill; *VS*, I, 62; Shalmaneser I, *KTA*, 13, III, 38; Tukulti Ninib I, Ishtar ins.; *MDOG*, XLVII, 40; Esarhaddon, *KTA*, 51; cf. André, *MDOG*, LIV, 26; Schell, *RT*, XXII, 156.

⁴ Johns, *AJSL*, XVIII, 176; cf. Budge-King, *Annals*, xvii, n. 3; Ashur rim nisheshu, *KTA*, 63.

⁵ Sharruken patesi of Ashur, son of I(kunum) patesi of Ashur, on seal of "Cappadocian" tablet, Sayce, *Babyloniaca*, IV, 65 ff. He is not called son of Ikunum in the Ashur rim nisheshu inscription, but he comes immediately after him, and the restoration of Sayce seems certain.

⁶ *KTA*, 62; Luckenbill, 166 f.; *MDOG*, LI, 47; Ashur rim nisheshu ins.; Adad nirari II, *KTA*, 5.

⁷ *MDOG*, XXXVIII, 33, n.

⁸ Adad nirari III, Kalhu ins., 24 ff.; Esarhaddon, *KTA*, 51.

the god was not an independent agent in the proceeding, for it is also admitted that he lived under Sulili, who is none else than Sin muballit, the father of Hammurapi.¹ His son, Samsi Adad, appears after Sin muballit's son in an oath formula, mute testimony to his acknowledgment of Babylonian suzerainty.² Samsi Adad claims that he rebuilt the Ashur temple in his capital and E mishmish at Nineveh, and neither in his own inscriptions nor in those of his successors is there hint of independence upon Babylon. We discover the true state of affairs from the Code of Hammurapi, where we read how that ruler returned to Ashur its gracious protecting deity, that is, Ashur himself, and made the face of Ishtar to shine in E mishmish of Nineveh.³

For three hundred years thereafter, we do not have the name of a king, which cannot but awaken the suspicion that a chronological error of some sort is hidden in the gap. Then we hear of another patesi, Ishme Dagan II, whose son, Shamshi Adad, was the first to erect the double temple of Anu and Adad (1800).⁴ The introduction of Anu is doubtless to be connected with vassalage to the south. Not long after comes another Shamshi Adad who gives us our first inscription of any length. He begins with the title "King of Kish-shati," doubly interesting because he is the first Assyrian to dare name himself king, and because he does not call himself king of Assyria but "King of the Universe," an old title connected with the extreme north of Babylonia. What is the territory to which Shamshi Adad wishes it to be specifically attached is made clear by his next claim "who devotes his energies to the land between the Tigris and Euphrates rivers." The failure to refer to the city-state Ashur is the more surprising as he is careful to indicate that his

¹ Sulili is regularly identified with Sumu la ilu, the first king of the dynasty. But this would make at least seven preceding monarchs fill the forty years while Illi kapkapu would rule from before 2176 to 2114, which is exceedingly improbable.

² Ranke, *Names*, x; *Documents*, No. 26; Poebel, *Documents*, 58, rightly takes it as of the tenth year of Hammurapi, 2114, as against King, *Chron.*, I, 127, n. 1. It is very doubtful if the Bel tabni mentioned with Sin muballit in No. 18 of Ranke is Assyrian, as Bel is not found in Assyrian names thus early.

³ I R, 6, 1; Winckler, *ZA*, II, pl. III, 9; Schrader, *l.c.*; Budge-King, *Annals*, xix, 2; Shalmaneser I, *KTA*, 13, III, 40; Esarhaddon, *KTA*, 51; for Nineveh, Shalmaneser I, Bowl ins.; Tiglath Pileser I, Tablet 4; Ashur nasir apal, Ishtar ins.; Bowls; Hammurapi Code, IV, 55 ff.; cf. Olmstead, *AJSL*, XXXV, 94.

⁴ Tiglath Pileser I, *Ann.*, VII, 60 ff.

activities are due to the command of the god Ashur who loves him and that Anu and Enlil have named his name for great deeds among the kings who have gone before. As proof of these great deeds, he tells us of tribute from the kings of Tuqrish and from the king of the Upper Land which he received in his city of Ashur and of a memorial stele which he set up in the city of Laban by the shore of the great sea. If by these he means the Lebanon and the Mediterranean, he had reason for his boasting.¹

In these days of the high cost of living, it is consoling to learn that the early Assyrians suffered likewise. Civilization in Assyria produced what it has always produced everywhere, rising prices. To meet the outcry against profiteers, Shamshi Adad promulgated a decree in which he announced the standard prices which were to obtain in his state. It is of interest to compare them with the tariff decreed not long before by Sin gashid in south Babylonia.² In Uruk the shekel of silver buys three gur of grain, in Ashur but two are given. This is as we should expect, for Babylonia was the granary of the world, and the territory around Ashur could not for a moment compare with it in fertility. In the same manner, we are not surprised to find that in Uruk the shekel will purchase thirty qa of oil, in Ashur only twelve. On the other hand, we should expect that a city which had at its very doors the steppe across which roamed vast flocks of sheep would furnish cheaper wool than Babylonia, and again we are not disappointed, for twenty-five manas of wool cost no more at Ashur than twelve at Uruk.

Shamshi Adad's family was continued by his son Adad nirari and by his grandson Ashur dan.³ Soon after follows another family group, Ashur rabi, Ashur nirari, and Ashur rim nisheshu I, whose brief inscription has given us the names of so many of the earliest Assyrian rulers.⁴ Ashur nadin ahe was remembered at home as having built the great northern terrace,⁵ and as the first Assyrian

¹ KTA, 2; Luckenbill, 166 ff.; for date, cf. 157, n. 17. Streck, ZA, XX, 460, is probably correct in connecting Tuqrish with the Tigra of Armenia. Darius, Behistun Ins., II, 39. Less probable is the identification with the Turuki of Adad nirari II, KTA, 3, 17.

² Cf. Olmstead, AJSL, XXXV, 99.

³ MDOG, XLIV, 31.

⁴ MDOG, XXVIII, 10; KTA, 63; Luckenbill, 172 f.

⁵ MDOG, XLIX, 18; Broken Obl., V, 4 f.; KTA, 64; Winckler, Forsch., III, 248.

king to have relations with Egypt. In his twenty-fourth year, 1475, Thutmose III reports "tribute" from a "chief" of Assur, lapis lazuli, vessels of colored stone, horses, wagons, and various valuable woods.¹ The Egyptian wished to give the impression that this was a tribute offered by a subject. The truth was evidently different, for we find Ashur nadin aḫe's descendant, Ashur uballit, flatly informing Amenhotep IV to his face that when Ashur nadin aḫe sent to Egypt, they sent him in return twenty talents of gold! This amount may be exaggerated, we may be sure that Thutmose returned at least equal value, and it looks suspiciously like a subsidy from the Egyptian court. The same letter proves that a similar subsidy was given to the king of Hani Galbat or Mitani, a fact which indicates retrogression on this frontier.²

Then we have Puzur Ashur who repaired the great wall of Ashur and built the wall of the "New City," for the capital was expanding with the kingdom.³ In his days we likewise learn of the first formal relations with the Babylonians, when he and Burna Buriash "swore an oath and established their boundary in friendly agreement."⁴ It would seem that this was the first formal recognition by the Babylonians of the Assyrian independence, for not long before Burna Buriash had sent to Amenhotep IV a most vigorous protest against the reception given the ambassador of the Assyrians, his "vassals." His successor, Kara Indash II, also made a friendly agreement with Ashur rim nisheshu II, who seems to have been the immediate successor of Puzur Ashur as he finished the "New City" wall with a casing wall.⁵

¹ Lepsius, *Denkmäler*, III, 32, 62 ff.; Breasted, *Records of Egypt*, II, 191 f.; Assur is given as Ya-sw-r².

² Knudtzon, *Amarna*, 16; the fact that Ashur uballit mentions "thy father" in connection with the gift to the king of Hani Galbat, while he does not connect any with the preceding mention of Ashur nadin aḫe, seems to prove it was an earlier Egyptian with whom he corresponded. *MDOG*, XXV, 40, where Ashur uballit mentions his father and refers to his ancestor, proves this Ashur nadin aḫe really was the one who comes a little before Ashur uballit, the son of Erba Adad.

³ Ashur rim nisheshu, *KTA*, 58; Adad nirari, *KTA*, 3, 37.

⁴ *Synchr. Hist.*, I, 16 ff.

⁵ Adad nirari, *KTA*, 4, I, 33; *Synchr. Hist.*, I, 12 ff. There has been much discussion of this very troublesome group of events; cf., e.g., Meyer, *ZA*, XX, 598; Ungnad, *OLZ*, 1908, 11 ff.; Schnabel, *MDVG*, 1908, 27; Luckenbill, 159. But one correction is necessary. The notoriously careless author of the *Synchronistic History* has made just one more mistake, has confused the first with the second Kara Indash, and has thus

After a reign marked only by work on the terrace,¹ Erba Adad (about 1365-1360) was shortly followed by his son Ashur uballit (about 1360-1330). He too had relations with Egypt, and we still have preserved the letter in which he replies to the coming of ambassadors. He calls himself "King of Ashur, the great king," and addresses the Egyptian as brother, a full insistence on equality, though in a private document from his reign he is merely called "King of Kishshati."² His own records, so far as they have been preserved, report only the digging of a canal and of a well.³ But we have other evidence to prove him a great warrior. Since the days of Shamshi Adad, control of all Mesopotamia had been lost to the Mitanians, and now they secured a foothold east of the Tigris in Nineveh; Tushratta could even send its patron goddess Ishtar to Egypt on a healing expedition. By the conquest of the "wide extending Shubari,"⁴ Nineveh was recovered and its restoration celebrated by the restoration of the Ishtar temple at that place. Only a few miles west, at Sinjar, and a few miles south, at Arrapha, the Egyptians had recognized independent states.⁵ This territory, with Musri,⁶ was likewise brought under Assyrian control.⁷

More important in its ultimate results was the marriage of his daughter Muballitat Sherua to the Babylonian Kara Indash II (about 1367-1355), the son of Burna Buriash, in connection with another series of boundary agreements. For the son of this union, Kadashman ḥarbe (about 1355-1344),⁸ we have claimed a series of victories, the annihilation of the power of the raiding Sutu, and the fortification and colonization of Birutu in Harhar. In reality,

made Ashur rim nisheshu precede instead of follow Puzur Ashur; cf. Delitzsch, *MDOG*, XXII, 74. Thus the two events come together in two succeeding reigns, and have a common reason for existence, whereas on the ordinary view Assyria becomes independent too early, for we cannot understand the protest of Burna Buriash if his ancestors had treated with the Assyrians on equal terms.

¹ Broken Obl., V, 4.

² Knudtzon, *Amarna*, 15 f.; Schell, *RT*, XIX, 44 ff.; Budge-King, *Annals*, 388 ff.

³ *KTA*, 84; Luckenbill, 172 ff.

⁴ Is the name preserved in the Zibari Kurds, Layard, *Nineweh and Babylon*, 370, as the Missuri Kurds retain Musri?

⁵ Sangara (S'-n-g-r'), Thutmose III, Breasted, *Records*, II, 204; Amenhotep III, *ibid.*, 343; Ramses II, *ibid.*, III, 162; Arrapha (ʿ-rʿ-rb, ʿ-rʿ-r-p-b), *ibid.*, II, 210, 343.

⁶ Cf. Olmstead, *JAOs*, XXXVII, 178, n. 28.

⁷ Adad nirari, *KTA*, 4.

⁸ Reference in kudurru of Kadashman Enlil II, King, *Boundary Stones*, 3.

these "victories" indicate a period of weakness; that the Sutu could invade Babylonia at all may have been the reason why the Kashshites rebelled against their half-Assyrian monarch and killed him. In his place, they set up Nazi Bugash, the "son of a nobody." Ashur uballit seized the opportunity to invade the land, nominally to avenge his grandson, and placed on the throne Kurigalzu the Younger, the infant son of Kadashman ḫarbe.¹

The reign of Kurigalzu III (1344-1321) was long and prosperous. Its most important single event was the invasion of Elam and the capture of its king, Hurbatila.² On this campaign, Kurigalzu recaptured and brought back from Susa a small agate tablet, a dedication to Dungi, which had been carried off almost a thousand years before by the Elamite king, Kutur Nahhunte. Now it was dedicated to Enlil in Nippur where it remained until found by American excavators.³ Encouraged by this success, Kurigalzu decided to throw off entirely such vassalage to Assyria as might be presumed by his manner of coming to the throne, and to claim the northern country through the combination in himself of both Assyrian claims. Ashur uballit had died, about 1330, and his place had been taken by his son Enlil nirari (about 1330-1315). The battle was contested on the Tigris. The Babylonian historian claims that the Assyrian king was slain in a great defeat; the

¹ The Babylonian account, Chron. P, with its most probable restoration, has been preferred to *Synchr. Hist.*, I, 19 ff.; cf. Hall, *Hist.*, 267; Rogers, *Hist.*, II, 123; King, *Babylon*, 243; Peiser, *OLZ*, XI, 7 ff. I do not see that KTA, 4, II, 2, demands, with Luckenbill, 160, another Adad nirari and another Ashur uballit. The marriage of Muballitat Sherua gives the chronological clue to the dates of the kings who precede Kurigalzu III, the first whose years are exactly given in the king list. He was *sihru*, a child or infant, when he became king, in 1344, but even at that the marriage must have taken place not far from 1360, which agrees with the fact that Ashur uballit corresponded with Amenhotep IV (1375-1357). Now Kara Indash II, grandfather of Kurigalzu, also had relations with Ashur rim nisheshu II, though between him and Ashur uballit was Erba Adad, yet Burna Buriash, father of Kara Indash, wrote several letters to Amenhotep IV, that is, he reigned some time after 1375, so the reign of Erba Adad must have been very short. If we date the accession of Kadashman ḫarbe to 1355, Kara Indash to 1367, Ashur uballit to 1360, and Erba Adad to 1365, we cannot be far wrong. If Burna Buriash was followed by Kara Indash in 1367, the beginning of his reign of at least twenty-five years must be about 1392, yet Kara Indash I corresponded with Amenhotep III, that is, he ruled after 1411, and between the two, with very short reigns, must be placed Kadashman Enlil I, Burna Buriash I, and Kurigalzu II. The dates given in the text meet every such test, and the shortness of some of the reigns is no valid objection.

² Chron. P.

³ OBI, 43; I, 31; cf. Rogers, *Hist.*, II, 122.

Assyrian declares that his nation won the victory, destroyed the Babylonian camp, and caused the territory to be divided from Shubari to Kar Duniash. That the latter is the more nearly true seems indicated by the eye, originally dedicated to Enlil by Kurigalzu, which has been found in the Assyrian capital. Babylonia was open to invasion, and to secure the road Kurigalzu then built the "Wall" named after himself, Dur Kurigalzu, the most striking landmark today in the vicinity of Baghdad and one of the two rivals for the traditional site of the "Tower of Babel."¹

Arik den ilu (about 1315-1300) is the first Assyrian king from whom we have an annalistic inscription, and the very crudeness shows how new is the form.² Lines divide it into sections which represent separate campaigns, and the account is barely more than a list of names, united by a few formulas. First, we have an expedition against certain cities from which herds were carried off to Ashur. In the same days, he fought with seven thousand men of the Iashubakula on the Elamite frontier.³ The second campaign was directed against a certain Esini, who appears again in the fifth, and who possessed thirty chariots; the places captured were Nigimti, Turuki, Arnuni, and Iashubakugalla. The third was against the cities of Kutila, Tarbilu, and Kudina, and comparison with the report of his son seems to indicate that we are to look for them in the Quti region. In the same days, with thirty chariots, Arik den ilu crossed the Mashtuate River, destroyed six hundred men in chariots, and defeated the ruler of the city of Namubilhi, whose name of

¹ Chron. P; *Synchr. Hist.*, I, 29 ff.; war of Kurigalzu with Subartu (Assyria), Kashtilash kudurru, *Del.*, II, 93; cf. Winckler, *Forsch.*, I, 116; *KB*, III, 1, 154 f.; I R. 4, xiv; *MDOG*, XXI, 38; Ur ins., Schell, *RT*, XXIII, 133; Johns, *Cun. Ins.*, 33; Sippar, Brick, Schell, *RT*, XVI, 90 f.; Nippur ins., *OBI*, 35-52, 133 ff.; Clay, *Light*, 286; *Del.* XIV, 32 f., carried from Nippur to Susa; Adab bricks, Banks, *Bismya*, 249; Der (?) ins., carried off to Susa, *Del.* VI, 30; Agade ins., copied by Nabu naid, *CT*, IX, 3; kudurru, King, *Boundary Stones*, 4 ff., pls. 2-5; CVII; seal of Shirish[ti], shakkanakku of an unknown land, son of Kurigalzu, Delaporte, *Cat. Cyl.*, 166; last certain date 23-?-16, doubtful 27-11-22; Clay, *Archives*, 63 f. In Clay, *Doc. Cassite Rulers*, No. 39, cf. Luckenbill, *AJSL*, XXIII, 281, 292. Ninib nadin ahi gives a field in the time of Kurigalzu, son of Kadashman harbe, and is still alive to be witness to the transaction in the days of Nazi Maruttash, son of Kurigalzu. Further testimony is not needed to prove the ancestry and succession of Kurigalzu III and to disprove the conjectured Kadashman harbe, father of Kurigalzu. For NI-NI-LAT, equaling I-dig-lat, the Tigris, cf. Dhorme, *RA*, VIII, 60, 97. King, *Babylon*, 243, and Barton, *Archaeology and the Bible*, 383, still read Zabzallat.

² Cf. Olmstead, *Historiography*, 3 f.

³ The Iasubigalla of Sennacherib, Bellino *Cyl.* 21; cf. Peiser, *OLZ*, VII, 217.

Rim Aku reminds us of the biblical Arioeh. Of the fourth campaign, we can only say that it included Halabi, the first reference to the Mesopotamian land which was to be made famous as one of the seats of the "Lost Ten Tribes." No doubt at this time was made the conquest of the Iauri, the Ahlame, and the Suti, the first official mention of a new menace to Assyria, the Aramaeans of the desert.¹ In the fifth campaign booty was brought to Ashur, and in those days Asini combined with some one whose name has been lost, but the confederacy was defeated. Last of all came the conquest of Qummuḥ and its allies, marking an advance into northwestern Mesopotamia toward the Upper Euphrates.²

Adad nirari (about 1300-1280) opens a decidedly strenuous period of activity. The dry list of names which is all that he deigns to furnish us takes on a new meaning when we attempt to place them on the map. Beginning with the Kashshites, the rulers of Babylon, the list goes on north to the Quti, the Gutti we have learned to know as a savage tribe to the northeast of Babylonia, to which it gave a dynasty of kings. Next reached is Lulume, another mountain area whence savages descended upon Babylonia and into whose recesses such generals as Naram Sin penetrated. Finally, we have Shubari, which no longer included Nineveh. So much for the eastern frontier. On the west, the Assyrian boundary was found at

¹ In *JAOS*, XXXIX, 251, n. 2, Peters declares that Olmstead "is obsessed with the old theory of Semitic waves northward from Arabia; his own evidence shows clearly an opposite movement from Asia Minor downward." It is Peters' theory which is old; it dates from the first location of the resting-place of the ark in Armenia, instead of east of Assyria, as it was in the days of Ashur nasir apal. The home of the Semites was still found in the north by Renan, Guldî, Lenormant, Hommel, and such other scholars of the last generation; for bibliography cf., e.g., Maspero, *Hist.*, I, 550, n. 2. It was abandoned for good cause, the best reason being the fact that Semites are rarely if ever found in the mountains north of the Fertile Crescent. Today it is found only in such examples of belated method as, for example, J. Sandaljian, *Hist. de l'Arménie des Âges du Paganisme*, 1917, I, 193 ff. I may add that in the last months, in connection with an examination of Kraeling's excellent *Aram and Israel*, I have for the third time gone over all my collected material on the early Aramaeans; I can only express surprise at Peters' conclusion. Is there not a fallacy in the use of the term Semitic? Those who speak the Semitic languages are as mixed physically as their history would suggest; if there is such a thing as a Semitic race, the term can only be applied to the one group which is fairly constant in its physical characteristics, the Bedawin of the desert.

² *Annals*, Schell, *OLZ*, VII, 216; Johns, *Cuneiform Ins.*, 33; palaces, Lenormant, *Choix*, 169; Budge-King, *Annals*, xix, 3; Schrader, *KB*, I, 2 ff.; Winckler, *ZA*, II, 313; pl. III, 8; Adad nirari I, I, 16 ff. Identification of Turuki with Tiriki (sic) east of Haine, Streck, *ZA*, XIII, is very probable, but the Tirkabuli of Tiglath Pileser I, *Ann.*, IV, 60, is in an entirely different region.

Lubdu and Rapiqu, near the junction of the Baliḥ and Euphrates rivers, whence it marched with the Babylonian. Thence it extended upstream to Carchemish, whose kings had but recently been Hittite vassals, Kasiassil under Subbi lulumma and Eni Sandan under Dudḥalia. It included the fortresses of Sudi and Ḥaranu, the latter no less a city than Harran, the old capital of the west Mesopotamian country. The tables were turned on Mitani, which was almost wholly destroyed. To the north, through a large group of minor towns, the Assyrian domain swept through the whole of Mount Kashiari to Eluḥat. This was a large enough empire, if it were really under efficient control. An Assyrian provincial system was still in the future, but one forward step at least had been taken. Adad nirari's most significant title is "Founder of Cities." With him begins that sending out of military colonies which culminated in the reign of his son.¹

More details are preserved of his war with Babylonia where Nazi Maruttash, who had succeeded his father in 1321, had kept the peace throughout the reign of Arik den ilu. The inevitable battle was fought at Kar Ishtar of Akarsallu, the Babylonian camp was taken, and among the prisoners were the priests. The victory can hardly have been very decisive, for the boundary was drawn from a point opposite Pilasqi, on the far or eastern side of the Tigris, through Arman of Akarsallu, that is, the country where the battle had been fought, to the mountains of the Lulume. Adad nirari resumed the title "King of Kishshati," which he had pointedly denied to his father.²

¹ KTA, 5; Luckenbill, 180 f.; Gutlum, *AJSL*, XXXIII, 320 f.; XXXV, 65 ff.; Lulume, *AJSL*, XXXIII, 318; *JAOS*, XXXVIII, 230 ff. Lubdu is doubtfully connected with the Labdudu of Sargon, Display 18, by Jastrow, *ZA*, X, 42; Rapiqu, the Rāḥqā near Raqqa of Ibn al Athir and Yaqt, Winckler, *Forsch.*, I, 156, n. 1; the Kashiari towns are Taidi, Shuri, Kabat, Amasaki, Hurra, Shuduhi, Nabula, Ushukani, and Irridi; Hurra is Haria, *JAOS*, XXXVII, 173, n. 13; Shuri is the Shuira of the same passage; Nabula, *JAOS*, XXXVII, 181, n. 31; Taidi is Tidu, *JAOS*, XXXVIII, 239.

² *Synchr. Hist.*, I, 35 ff.; Adad nirari I, I, 7. Winckler-Peiser, *ad loc.*, make Arman and Akarsallu entirely separate, but it is clear that Arman is the chief city of Akarsallu, which lay south of Kerkuk; cf. *Synchr. Hist.*, II, 14. For relationship of Nazi Maruttash cf. Clay, *Bab. Exped.*, XIV, 31; Luckenbill, *AJSL*, XXIII, 292; Hilprecht, *Trans. Univ. Penn. Mus.*, I, 104; Is the Nazi Enlil of Radau, *Letters to Cassite Kings*, No. 24, cf. Langdon, *Exp. Times*, XX, 458. Kudurru, *Del.*, I, pls. 14 f.; II, 86 ff.; Hinke, *Boundary Stone*, 90 f.; *Kudurru Ins.*, 1 ff.; Schell, *RT*, XIX, 60, of year 11, where called king of Kish; king of Kishshati, Hilprecht, *Assyriaca*, 93, n.; *OBI*, 53-58, 78, 136 f.; latest certain date, 24-11-17; possibly 27-11-22, Clay, *Archives*, 64; prayer, Clay, *Light*, 287.

To this war we may provisionally assign the alabaster vase, the spoil of Ubase, the city from which also came the limestone and clay used to restore the gate house of the Ashur temple at the capital.¹ A temple to Nabu and Marduk was another sign of the Babylonization which was taking place.² Our curiosity is roused when we find him restoring an inscription to a former prince of the land of Kunzuheli,³ and our sense of his reality is deepened when we behold the splendid sword of state which still bears his name.⁴

"In the beginning of my priesthood," so writes Shalmaneser I (about 1280-1255) in place of the later "beginning of the reign," "the land of Uruadri revolted." Here we find the first mention of the country which as Urartu was to plague his successors.⁵ The king raised his hands in prayer, mustered his armies, and went up against their mighty mountain fortresses. He made himself master of eight countries and fifty-one cities. The whole land of Uruadri was in three days made submissive to the feet of Ashur, their men were brought low as corpses, for servitude and to fear he chose them. Tribute that was heavy for a mountain region for all time was imposed upon them. The strongly fortified mountain fastness of Arina had formerly revolted, despising the god Ashur; Shalmaneser found no difficulty in taking it. Over its site were sown stones, its dust was gathered, and in the gate of Ashur poured out as a witness for future days.⁶

Then came the reduction of the whole land of Musri, eloquent proof that its preceding conquest by Ashur uballit was no serious matter. Over difficult trails and through narrow passes Shalmaneser penetrated into Hani Galbat, where he was met by its king, Shattura, or rather Sutatarra, the Aryan king of Mitani, with

¹ Vase, I R, 6, III, A; Budge-King, *Annals*, 4, n. 2; we have only al Ub- but we may easily fill from the Ubase of II, 6. Ubase is also in H. 433; it has a god BU-LA-LA in II R, 60, 27; and it is located on the Assyro-Babylonian frontier by II R, 53, 33 where it is followed by Ekallate (against Jastrow, *ZA*, X, 44, who places it in the Sealands).

² III R, 3, 12.

³ Winckler, *Forsch.*, II, 10 ff., attributed to Adad nirari by ancestors named.

⁴ Boscawen, *TSBA*, IV, 347; Budge-King, *Annals*, 4. It was bought at Mardin, but this is no proof that it was found at Amedi or that it shows campaigns in this region.

⁵ Luckenbill, 186.

⁶ The eight cities are Himme, Uadqun, Bargun, Salua, Halila, Luha, Nilipahri, Zingun; for Himme and Luha, cf. *JAOS*, XXXVII, 174, n. 17; for Arinna, *ibid.*, 179, n. 29. Note that 8 plus 51 equals 59, one less than the unit 60.

his overlord, the Hittite Mursil, and the Semitic Ahlame. Shalmaneser's advance was cut off by the seizure of the passes and the invaders began to suffer for water. "Because of their thirst and for a camping ground, my army bravely advanced into the masses of their troops, and I fought a battle and accomplished their defeat. His defeated and widely scattered troops to a countless number I killed; against him at the point of the spear to the setting sun I waged battle." The loss to the enemy was estimated at four sars, a round number which is too exactly translated by 14,400. Beside his capital, nine of his fortified cities and three *sos* more—again in the translation 180 gives an idea of exactness which is missing in the original—were reduced to mounds and ruins. Shalmaneser claims sweeping victories from Taidi to Carchemish, but he is only repeating those made by his father and in the very same language.¹

Thereupon the Quti, whose numbers were countless as the stars of heaven, even before they revolted stirred up enmity against Assyria. To Ashur and the great gods he raised his hands and said "Faithfully they promised me their good faith." The camp was left behind; with only the choicest of the chariots he rushed into battle, and from the border of the land of Uruadri to the land of Qummuḥ, remote regions and distant and inaccessible plains, the bodies of their wide-spreading hosts like water he poured out.² We might be inclined to underrate this claim, did we not have proof in the annals of a successor that he so well subdued the triangle of fertile land stretching to the north of Amedi that he could plant a colony at Ḫalsi Luha which should endure for over four centuries until the days of Ashur nasir apal.³

With all this booty, building went on apace. Ashur in particular was adorned, E ḫarsag kurkurra was rebuilt, and various other structures of more or less known character are enumerated.⁴ At

¹ Luckenbill, 163, is hardly justified in seeing in the *ana shashu*, "against him," an indication of personal combat, or concluding that Taidi-Carchemish traces the extent of Ḫani Galbat. The names of the Hittite and Mitanian kings come from the Hittite archives.

² KTA, 13; Luckenbill, 184 ff. KTA, 15, mentions conquest of Lulubi and Shubari. The bowl ins., G. Smith, *Assyr. Disc.*, 248 f.; King, *Tukulti Ninib*, 133 ff.; 167 ff., add Qumani, *JAOS*, XXVII, 179; Qurḫi, *ibid.*, 182; Pushshe, also Tukulti Ninib I, 14; and Nairi.

³ Ashur nasir apal, *Ann.*, I, 102; cf. *JAOS*, XXXVIII, 226.

⁴ I R, 6, IV; Winckler, *ZA*, II, pl. III, 6; Budge-King, *Annals*, xxxvii, 13; Schrader, *KB*, I, 8 f.; Lenormant, *Choir*, No. 73; KTA, 13; Luckenbill, 184 f.

Nineveh, he erected a palace and restored the Ishtar temple.¹ For the first time, we hear of a new city which was destined to be an Assyrian capital, Kalhu, a day's journey south of Nineveh, near the junction of the Tigris and the Upper Zab.²

With the new additions to Assyrian territory must be connected a curious change in the royal titulary. Characteristic of the preceding period was "governor of Bel and priest of Ashur." To this Shalmaneser adds "the mighty king," which was hereafter to be a permanent attachment, and "King of All," a modification of the Babylonian "King of Kishshati."³ The transition stage is passed when the full later form appears under Tukulti Ninib I, "King of Kishshati, King of Assyria, mighty king, King of the Four World Regions."⁴

The beginning of his reign and his first full year as well, Tukulti Ninib (about 1255-1231) devoted to the north. The lands of Quti, Uqumani, Elhunia, Qipani, Mehri, took his hands; the wealth of their mountains and the wealth of their highlands yearly they brought to the city of Ashur. In those days he also burned over a long list of lands, Qurhi, Qummuḥ, Pushshe, Mumme, Alzi, Madani, Niḥani, Alaia, Tearzi, Purukuzzi, and all the wide extending Shubari. Highlands and valleys, impassable places, whose paths no king before had known, in the power of his abounding strength he traversed. Four kings of Nairi land stood forth in mighty array to make battle and conflict, but they were destroyed and the ravines and gullies of the mountains received their blood. In his expedition against the Nairi, he reached the shore of the Upper Sea, Lake Van. On the eastern border, a series of wars brought him across the Lower Zab and into the mountains, from Tarsina, an inaccessible mountain, between the city of Shasila and Barpanish, on the other side of the Lower Zab, from Sukush and Lalar, including Lulume.⁵

¹ Smith, *Disc.*, 247; King, *Tukulti Ninib*, 135, 173; Ashur resh Ishi, bowl, 9; Tiglath Pileser, Tablet 4.

² Ashur nasir apal, *Ann.*, III, 132; there is no foundation for the assumption; cf. Rawlinson, *Mon.*, II, 57 f., that it became a sort of second capital.

³ Luckenbill, 196 f.

⁴ Documents of reign of Tukulti Ninib in elaborate detail, King, *Tukulti Ninib I*; cf. for corrections Johns, *Jour. Theol. Stud.*, VI, 293 ff.; Muss-Arnolt, *AJSL*, XXI, 238 ff.; also *MDOG*, 28, 23; 49, 16; 54, 8; Peiser, *OLZ*, XVII, 308 ff.

⁵ King, *Tukulti Ninib*, *passim*. With Elhunia, cf. Eluḫat, Adad nirari I, I, 8; for Sharnida, Peiser, *OLZ*, VIII, 57, reads Qipani, Ashur nasir apal, *Ann.*, III, 93; Mehri, *JAOS*, XXXVII, 181, n. 31; Alzi and Purukuzzi, *ibid.*, 170; Madani, *JAOS*, XXXVIII,

When the Egyptian Ramses II attacked the Hittite Ḫattusil, about 1287, Kadashman Turgu (1295-1278), who had succeeded his father in Babylonia,¹ seems to have been a sort of silent ally, for we know that Ḫattusil reported the attack to his Babylonian "brother." It was at this time, doubtless, in the tenth year of Ramses (1282), that the diplomatic relations between Egypt and Assyria took place which permitted the Egyptian to boast of "tribute of Ashur."² On the death of Kadashman Turgu, Ḫattusil wrote the Babylonian prime minister, Itti Marduk balatu, that he would not continue the old alliance unless the people recognized as their king Kadashman Enlil II, the minor son of his old ally. Innocent and even praiseworthy as this might seem at first glance, such action might well establish a precedent for Hittite interference, and the Babylonians deeply resented it. Itti Marduk balatu replied that this was not the tone of a brother and that Ḫattusil had written as if the Babylonians were his vassals. Diplomatic relations were at once broken off, though no war took place. Intercourse was resumed when Kadashman Enlil came of age. Soon after, Ḫattusil made his famous treaty with the Egyptian ruler (1272), and when news of this reached Babylonia, Kadashman Enlil sent a letter to inquire if it made any change in his relation to the contracting parties. The reply was far from satisfactory. "We are brothers, against a foe will we fight together and with a friend will we together maintain friendship." Having thus gently but forcefully placed the Babylonians outside the new entente, Ḫattusil goes on to consider a demand made by Kadashman Enlil for the extradition of certain Syrians who had murdered his subjects when they were on a trading trip to Amurru and Ugarit. Very significant is the quiet assumption that

252, n; *KTA*, 17, has increased the number of Nairi kings from 4 to at least 18. *KTA*, 16, gives the land of Ka . . . after Mehri, and Alzi appears as Ilzi; Alara, perhaps equaling Alala, is before [Tear]zi. Whether the lands of Azalzi and Shepardi, added to the boundary of the country and mentioned between Nairi and Shumer in *KTA*, 17, belong here is uncertain. For Lulume, cf. Winckler, *Forsch.*, II, 1 ff.; in II, 574, he attributed to Tukulti Ninib K. 4525, a badly broken letter with references to the Arame and Ahlame, but this is doubtful. The reference of Ashur nasir apal, *Ann.*, I, 105, to an inscription at the Subnat, is not to the first Tukulti Ninib, as Budge-King, *Annals*, xl, but to the last.

¹ Pinches, in S. A. Smith, *Asurbanipal*, III, 97; Lyon, *PAOS*, XIV, cxxxiv ff.; Hilprecht, *Trans. Univ. Penn. Mus.*, I, 104; *Assyriaca*, 93, n.; *ZA*, VII, 305 ff.; *OBI*, 59-63, 138; latest date, 16-3-3, Clay, *Archives*, 64.

² Breasted, *Records*, III, 162, n. c.

it is the Hittites and not the Egyptians who are now rulers of north Syria. Another demand made by Kadashman Enlil was for the punishment of the Amorite Banti shinni who had troubled the Babylonian land. Banti shinni, quite in the diplomatic manner, had scorned a defense, advancing instead a counterclaim for the enormous sum of thirty talents which he declared the men of Akkad owed him. Hattusil replies that inasmuch as Banti shinni is now his vassal, he may prosecute the claim against him. As to the troubling of the Babylonian land, he shall make his defense before the god in the presence of the Babylonian ambassador.¹

In this same letter, Hattusil urged Kadashman Enlil to attack a common enemy, who can only have been the king of Assyria, Shalmaneser I. Such an attack did actually take place.² We are not told the result, but it is easily guessed. After a brief reign (1278–1270), the greater part of it during his minority, Kadashman Enlil disappeared, and it is clear that Hattusil had worked upon his youthful vanity to his destruction.³ Yet his line endured, for he was succeeded by his son Kudur Enlil (1270–1261),⁴ and his grandson Shagarakti Shuriash (1261–1248),⁵ whose reigns are long enough to indicate relative peace, though it is clear that neither of them reached mature age.

Shagarakti Shuriash must have been a babe in arms at his accession, and the same must have been true of his son Kashtiliash II (1248–1240).⁶ Such a series of minorities could but invite aggression from Assyria where six kings in succession from father to son had averaged over twenty years each. Without apparent excuse, Tukulti Ninib invaded the country, captured the young Kashtiliash in battle, and brought him in fetters to the presence of the lord Ashur, there to be sacrificed. His place was given to Enlil nadin

¹ Winckler, *MDOG*, XXXV, 20 f.; cf. King, *Babylon*, 236 ff.

² III R, 4, 1.

³ *OBI*, 65 f.; cf. Hall, *Hist.*, 370; latest date, 7-8-21, Clay, *Archives*, 64, though the king list gives but six years.

⁴ *OBI*, 64; I, 32; latest date, 8-12-7, Clay, *l.c.*

⁵ *OBI*, 69; I, 32; Winckler, *Forsch.*, I, 110; Nabu naid, Abu Habba ins., III, 28; name on Tukulti Ninib seal; latest date, 12-9-10, Clay, *l.c.*; Scheil, *Del*, XIV, 32; Hilprecht, *ZA*, VIII, 386 ff.

⁶ *OBI*, 70-72, 79; Winckler, *l.c.*; kudurru, *Del*, I, 179; II, 93 f.; grant to Agabtaha, fugitive from Haligabatu, *ibid.*, II, 95 f.; Hinke, *Boundary Stone*, 73; latest date, year 6, Clay *l.c.*

shum, but when the pressure from Babylonian patriots became too great for even an Assyrian nominee, he revolted. Tukulti Ninib returned to Babylon, leveled the city ramparts, and slaughtered the citizens. "The treasures of Esagila and Babylon he profanely brought forth, the great lord Marduk he removed from his abode, and carried him off to Assyria, governors he established in the land of Kar Duniash." Tukulti Ninib was the first Assyrian ruler to face the dilemma of effectively ruling a hostile country and at the same time respecting it as the motherland whence came his own culture. His first experiment had been that of control through a vassal king. On the failure of this plan, he placed over Babylonia governors, though later patriotic writers attempted to hide the reality by listing as kings Enlil nadin shum and Kadashman harbe with a rule of a year and a half each.¹ To the mind of Tukulti Ninib, at least, there was no doubt as to who was the true ruler, for we find him calling himself "King of the Four World Regions, King of Kar Duniash, King of Shumer and Akkad." His refusal to adopt that of "King of Babylon" was a deliberate ignoring of the pretensions set forth by the upstart sacred city.

The action of Tukulti Ninib presents a great contrast to that of all his successors, with the one notable exception of Sennacherib. As in the case of the later monarch, the complete loss of power suffered by Babylon was marked by the carrying away into captivity of the city god Marduk. To make the parallel still more exact, in each case the god remained a captive until his captor was assassinated by a son and a more superstitious successor sent back the god and thus restored independence to Babylon. How consciously Sennacherib was following the precedent set by Tukulti Ninib becomes evident when we find him carrying back, inscribed now with his own titles as well, a seal which had once been brought to Assyria by Tukulti Ninib as part of the Babylonian spoil.²

Seven years Tukulti Ninib ruled Babylon.³ Meanwhile, he built much. The temple of Ishtar in Nineveh rejoiced in his

¹ Chron. P; so also in *Meli shipak kudurru*.

² Budge-King, *Annals*, xxxvii, 14 ff.; III R. 4, 2; King, *Tukulti Ninib*, 61, 106 ff.; 163 ff.; Smith, *TSBA*, I, 71; *RP*¹, V, 85; Sayce, *RP*², V, ix; Schrader, *KB*, I, 10.

³ Bab. Chron. IV, 7.

aid,¹ and he erected a palace at Ashur.² He soon tired of the old capital and began to long for a city which should bear his own name. To the north, on the opposite side of the river, grew up, almost over night, the new Assyrian capital. In the midst of a fertile plain, with a view which ranged from the Hamrin hills in the south to the mountains of Kurdistan, dimly seen in fine weather, the hitherto small and half-ruined hamlet received a new life, and as Kar Tukulti Ninib saw within its gates the wealth of half the civilized world. Around it rose massive city walls, within was a mighty palace, a new temple for Ashur, shrines for the other Assyrian gods. The surrounding region was irrigated by a new canal.³

Tukulti Ninib might indulge the hope that the new capital was "established forever"; the nobles whose memories centered around the old sacred city which had given its name to the empire could hardly remain satisfied. The Babylonians hated their tyrant and their hatred was by no means lessened when they perceived the inability of their new master to protect them against Elamite incursions. Already in the days of Enlil nadin shum, the Elamite Kidin Hdrudash had invaded the land and taken captive the men of Nippur, Der, and Harsagkalama, and though Enlil nadin shum took the field against them, he had no permanent success. Later, the Assyrian governor, Adad shum iddina (1237-1231), had come upon the Elamites at Nisin, a battle took place on the Tigris, and many people were overthrown. Kashshites and native Babylonians alike rallied to the support of Adad shum usur, son of the last legitimate king, and Tukulti Ninib was driven from Babylonia. Failure abroad furnished the needful excuse for those at home to demand his deposition. Ashur nasir apal led the revolt against his father, Kar Tukulti Ninib was besieged, and its founder perished by the sword. The new capital was burned and so sudden was its abandonment that modern excavators found in the ovens the pottery which the makers had not stopped to complete. Peace was made with

¹ G. Smith, *Disc.*, 249; King, *Tukulti Ninib*, 60, n. 1.

² Broken Obl., V, 29; *MDOG*, XXII, 22; Winckler, *Forsch.*, III, 321 ff. The Memorial inscription shows him at Ashur in his first year.

³ Memorial Ins., King, *Tukulti Ninib*, *passim*; excavations at Kar Tukulti Ninib (Tulul Akr), W. Bachmann, *MDOG*, LIII, 41 ff.

Babylonia, the boundary placed at Kullar, and Marduk returned to his native city.¹

Ashur nasir apal did nothing to justify his parricide and we hear nothing of his successors. The number of known rulers who occupied the Assyrian throne during the thirty-year reign of Adad shum usur (1231-1201) and the recession of the frontier on the south alike point to a period when Assyria was on the decline. Perhaps the next rulers are the Ashur narara and Nabu dani to whom Adad shum usur sent a letter which has been preserved in a later copy.² With a modicum of imagination, we may reconstruct the story behind two other letters, sadly mutilated now and somewhat illegible even in the days when they were copied by the scribes of Ashur bani apal. The story begins with a certain Assyrian ruler, Ashur shum lishir, who in the time of Adad shum usur's father was driven from his country and found refuge in Babylonia. Ninib tukulti Ashur succeeded to his "lordship," for Adad shum usur refuses to the Assyrian the title of king and grants him only that of "lord of lands." In the "not lordship" of Ashur shum lishir, while he was in exile in Babylonia, Ninib tukulti Ashur invaded Babylonia, but with Babylonian help the former ruler was reinstated. No sooner was he on the throne of Assyria than Ashur shum lishir forgot his former humiliation, and began to speak "words of majesty." Soon after, Adad shum usur came to the throne in the south, and sent a great noble whose name has been lost to be in charge of the petty kings on the northern frontier. With him went a certain Harbi shipak, a Habiri by title and a Kashshite by name, who had come into Babylonia with the qunnu official of Ashur shum lishir at the beginning of that prince's exile, and had entered the Babylonian service. As sharabu official, he stood in the presence of the governor and acted as inspector.

Suspicion seems to have arisen that Harbi shipak in reality recognized Ninib tukulti Ashur as his true lord. He arrived at

¹ Chron. P; *Synchr. Hist.*; Memorial ins.; Tukulti Ashur Bel is not a later king, but the eponym in whose year the god returned, C. Niebuhr, *Bemerk. z. Gesch. d. alten Orients*, 83 ff.; Rawlinson, *Mon.*, II, 59, may be correct in seeing in the capture of Babylon the beginning of the Assyrian empire according to Herodotus I. 95, who dates to this time.

² H. 924; III R, 4, 5; cf. Budge-King, *Annals*, xxii, xxxix.

court with a rather testy letter from the great feudal noble: "One day only didst thou (the king) await me in Zaqqalu, long enough to send those who were counselors and prudent. I was angry, for only one day did he await us in Zaqqalu." Adad shum usur had a reply ready to his hand: "Have I not been gracious to thee, have I not blessed thee with blessings, and they have put thee in charge of the kings on thy frontier. Why then are your words like those of a mere sharabu official?" The former career of Harbi shipak is known to the king, the governor has had him on his personal staff and ought likewise to understand his character. "Who among you," the kings on the frontier, "like a king gives his orders? On him may Ashur shum lishir, lord of lands, fall and may the word of Assyria be similar to that of a sharabu official, and may they disagree with each other. In the land of that one may Ashur shum lishir dwell. Since Harbi shipak came to Akkad, he has been a sinner, and since he came, his lord, Ninib tukulti Ashur, is ravaging the land." The governor has written in regard to a possible meeting with the Assyrian ruler, he will attend to the matter for "the good of Akkad and of Assyria the god desires." Adad shum usur replies: "Do thou as thy heart desires," attend to the necessary arrangements, "let us see each other, send thy deputy with the following instructions: 'The good of Akkad and of Assyria he desires.' [Such should be] the words of kings." It has been further suggested that the governor cross over and see Ninib tukulti Ashur, who has ravaged the land, but he did not fight in that year in that land, he returned home, though an attempt had been made to keep it quiet. The Babylonian king writes sharply on this point: "Since thou hast received the power, why hast thou not entered, and what is this about taking Ninib tukulti Ashur to the land of Iriqa," which as Iraq was to be the Arab name of Babylonia. Then he gives his own opinion of Ninib tukulti Ashur: "Thou hast said of Ninib tukulti Ashur: 'He is a servant, he is not a true man.' In fact, he is exactly like you. Why does he not finish his task? The men of Assyria are women."

Judging from the fragment of the reply which has survived, the governor was great enough a feudal noble to be able to speak plainly: "It is my slanderer who is full of wrath, he is the one who is turning

things upside down; Ninib tukulti Ashur only makes divination and sees dreams, he does not turn things upside down." The king had written with evident sarcasm: "Who among you gives orders like a king?" With equal sarcasm the governor replies with remarks about "old men who are kings and fathers who are" rulers. He makes it clear that the words spoken by someone to Nippur, Sippar, and Babylon, perhaps the charters of privileges, have not been forgotten by them. No one, either the enemy, his sons, or his great ones, shall cause hostility to his kingship. As to the great men of Assyria, the report seems to be that they have given the throne to Enlil kudur usur.¹ The new king, whose very name, "Enlil protect the frontier," showed the extremity of the northern power, was attacked by Adad shum usur and left dead on the field of battle.² Adad shum usur was equally successful with Ninib apal esharra, the son of Erba Adad II,³ and besieged him in his capital. Then the tide turned, the Assyrians were victorious in a battle fought in the vicinity of Ashur, and Adad shum usur was forced to return home in disgrace.⁴ On the whole, the operations had been distinctly favorable to the Babylonians, though there was but partial fulfilment of the prophecy which one Babylonian patriot inflicted as a name upon his son Shar Babili mat Ashur iĥtu, "The King of Babylon has defeated the land of Assyria."⁵

¹ IV R², 34, 2; Pinches, *JRAS*, 1904, 407 ff.; cf. Winckler, *Forsch.*, I, 389; Schnabel, *MVAG*, XIII, 43; Streck, *Assurbanipal*, I, xciii, n. 1. The reconstruction rests on suggestions made by Mrs. Olmstead. Here also may be noted K. 2641; G. Smith, *Assurbanipal*, 12 f.; Winckler, *Untersuch.*, 133 f.; *Forsch.*, III, 341. A nameless "great king, king of Kishshati, king of Assyria," writes to a "great king, king of Kishshati, king of Babylon, his father." The text was copied for Ashur bani apal, but Winckler has shown that the formulas are those of the Amarna period. It is not clear whether the sonship is real or nominal; if the latter, it would be from a time when Assyria was subject to Babylon, but against this is the fact that both are *sharru dannu* and *shar kishshati*, nor would a suzerain permit such a title to an inferior. Against Tukulti Ninib and his parricide son Ashur nasir apal is the fact that there is no proof that the son reigned with his father and Tukulti Ninib went out of his way to omit "King of Babylon." Against Ashur uballit and his son-in-law Kara Indash, his grandson Kadashman ĥarbe, or his great-grandson Kurigalzu is the fact that neither used such a titular, and the same is true of Kurigalzu and Enlil nirari.

² Johns, *Jour. Theol. Stud.*, VI, 293 ff., doubts King's restoration, according to which Adad shum usur slew Enlil kudur usur.

³ *MDOG*, XXVI, 60.

⁴ *Synchr. Hist.*, II, 3 ff.; kudurru, *Del*, II, 97; *OBI*, 81; I, 34.

⁵ Marduk nadin aĥe kudurru, King, *Boundary Stones*, 45, who takes it "Abullutetapau, the son of the king of Babylon, who has defeated Assyria," for the determinative for man is missing, but see Hommel, *Gesch.*, 443, n. 1, for the more probable explanation. Why does Hall, *Hist.*, 385, make Adad shum usur also die in this battle?

From Hani to the Sealands was the extent of the territory ruled by his son Meli shipak II (1201–1186).¹ Marduk apal iddina or Merodach Baladan I (1186–1173) was at first associated with his father, for we find Meli shipak using only the title “King of Babylon” while his son holds the much more ambitious one of “King of Kishshati, King of Shumer and Akkad.” If the latter claimed all Babylonia, the former made an equal claim on a large part of what Assyria had come to consider an integral part of her own territory.² How much truth there was in this boast, we cannot tell, though the boundary does seem to have been pushed to the Lower Zab.

In Assyria, the second Erba Adad had founded a dynasty which was long to endure. His son Ninib apal esharra (about 1205–1185) was succeeded in turn by his son Ashur dan, who made a sudden dash into the debatable land and won back Zaban³ and Akarsallu, so that now the frontier stood not far from the Hamrin mountains.⁴ The one-year reign of Zababa shum iddina was not to be marked by this loss alone.⁵ In the same year, Shutruk nahhunte, the Elamite ruler, accompanied by his eldest son, Kutir Nahhunte, invaded Babylonia, defeated Zababa shum iddina, and put him to death. His successor, Bel nadin ahi, managed to keep himself on the throne for three years more (1173–1169) and then he too was forced to succumb to the Elamites, who swept over the land “like a flood.”

¹ Kudurri, Belser, *BA*, II, 165 ff.; Peiser, *KB*, III, 1, 154 ff.; IV, 56 ff.; King, *Boundary Stones*, 7 ff., pls. V ff.; *Del*, I, pl. 16; II, 99 ff.; 112; cf. 91; IV, 163 ff.; X, 87 ff.; cf. De Morgan, *CR Acad.*, 1906, 279; Hinke, *Boundary Stone*, 15; *Kudurru Ins.*, 4 ff.; the bricks, *OBI*, 82; I, 35; Pinches, *Hebr.*, VI, 55 ff., in reality belong to Ashur bani apal. The *Synchr. Hist.* is certainly not a source for a war between Meli shipak and Ninib apal esharra as Rogers, *Hist.*, II, 125. As to the elaborate narrative of Hall, *Hist.*, 385, there is no basis in the facts.

² Kudurri, IV R², 38; Smith, *Disc.*, 237 ff.; Oppert-Menant, *Doc. jurid.*, 129 ff.; Rodwell, *RP*, IX, 31 ff.; Peiser, *KB*, III, 1, 162 f.; IV, 60 ff.; *Del*, VI, 31 ff.; Hinke, *Boundary Stone*, 17, 25; *Kudurru Ins.*, 14 ff.; King, *Boundary Stones*, 24 ff., pls. XXXI ff.; cf. Winckler, *Gesch.*, 93.

³ Zaban at Lower Zab, Ashur nasir apal, *Ann.*, III, 123; in revolt Shamshi Adad, I, 48; IV, 2; Zamban, Cyrus, *Cyl.* 31; in V R, 12, 6, 3, equated with Si-ha-ra ki. The personal name, naru Zaban iddina, shows it a delty; cf. Johns, *AJSL*, XVIII, 251. Located at Altyn Köprü, “Golden Bridge”; cf. bridge found by Heraclius, Theophrastus, 492.

⁴ *Synchr. Hist.*, II, 12 ff.; Ashur resh ishi, building ins.; canal, Broken Obl., V, 20.

⁵ Note seal of Zababa shum iddina, son of Idin Zababa, servant of Shamash, Delaporte, *Cat. Cyl.*, 163.

Kashshite rule in Babylonia came to an abrupt end and the kings who followed seem to have actually been vassals of Elam.¹

The dynasty which follows, the Fourth, is at the same time one of the most interesting and one of the most obscure, a condition due in large part to the mutilated state of the king lists. Its home was Isin, as we must now pronounce the name of the city which as Nisin had given a dynasty to Babylonia before the rise of Babylon.² At once the governor of Nisin outranks the governor of Babylon.³ The first monarch of the line would appear to be Marduk shapik zerim, whose reign of seventeen years (1169-1152) proves either that the Elamite invasions did not have such serious results as our other sources indicate, or else that the peace was due to Elamite overlordship.⁴ A six-year reign (1152-1146) is attributed to the second whose name is lost, and nothing whatever is known of the third. Probably to fourth place, about 1140, we are to assign Nebuchadnezzar I, and with Nebuchadnezzar I we meet one of the interesting figures of Babylonian history.

It is not merely that we are unusually well informed in regard to his reign; that might be the merest accident. The convincing proof of his importance is the manner in which his namesake, the mighty Nebuchadnezzar II, copied his language, his script, in every way attempted to imitate him. Our monarch calls himself the "offspring of Babylon,"⁵ and his father, Ninib nadin shum, was not a king.⁶ With his usurpation, the yoke of Elam was cast off. "Enlil the lofty lord, with his shining face looked faithfully upon Nebuchadnezzar, the prince, his favorite, who is devoted to his sanctuaries, and that he might shepherd Shumer and Akkad, that he might renew the sanctuaries of the city of dwellings and regulate the tithes

¹ Nebuchadnezzar I, III R, 38, 2; Winckler, *Forsch.*, I, 535; cf. for identification with Bel nadin . . . of king list, Winckler, *l.c.*; Schnabel, *MVAG*, 1908, I, 40; *OLZ*, XII, 57; XIII, 353 f.; Thureau-Dangin, *J.A.* X Ser., XI, 152; *OLZ*, XIII, 400 ff.; King, *Babylon*, 245, n. 1.

² Olmstead, *AJSL*, XXXV, 80 ff.

³ Nebuchadnezzar kudurru, V R, 56, 17; cf. Hinke, *Boundary Stone*, 127.

⁴ Talcott Williams Cyl., Jastrow, *ZA*, IV, 301 ff.; VIII, 214 ff.; Knudtzon, VI, 163 ff.; Hilprecht, *ZA*, VIII, 116 ff.; *OBI*, 148; Peiser, *KB*, III, 1, 162 f.; King, *Boundary Stones*, 80 f., pls. 11 ff., there attributed to Marduk shapik zer matl; Marduk nadin aše kudurru, Clay, *Misc. Ins.*, No. 37.

⁵ III R, 38, 2; cf. Hilprecht, *OBI*, I, 41 ff.

⁶ Strassmaier, *Hebr.*, IX, 5; Nabu naid, Clay, *Misc. Ins.*, Nos. 45, 29.

of the temple of Ekur and of Nippur, he broke the weapon of his enemy and the scepter of his enemy he placed in his hand, a life of eternal days he granted him, above any preceding king he magnified his name. Nebuchadnezzar is the king of righteousness, the king of the world, who has laid the foundation of the land."¹

We have no annals from his reign, but this lack is in some respects more than made good by a series of highly interesting accounts of his campaigns against Elam. In one of these, hardly meant, we should imagine, for the public eye, we have the very frank admission that at first he was not successful. He tells us of the troubles suffered under Zababa shum iddina and Bel nadin ahi, his predecessors on the throne, and of his brave resolve to die with his soldiers who had been slaughtered in Elam. With the remnant of his people, he reached the source of the Uknu, well within the enemy's country, and awaited them. Once more he faced defeat, his infantry was slaughtered, his cavalry fled in disorder. Again comes a very frank admission, "I sought not the battle, I retreated to Dur Apil Sin, I sat down defeated. The Elamite followed, I fled before him, I sat on the bed of weeping and lamentation."²

Seated in Babylon, Nebuchadnezzar roared like a lion and bellowed like the god Adad. To Marduk, the lord of Babylon, went his prayer: "Have pity on me, have pity on my land where are weeping and sorrow. How long, lord of Babylon, in the land of the foe wilt thou abide? To Esagila, which thou lovest, turn thy face." The lord of Babylon heard Nebuchadnezzar, his word from heaven came to him: "With my own mouth speak I to thee, a word of grace send I to thee, with my help shalt thou go to Amurru, from the hostile Elam to Babylon bring me. Elam will I give thee."³

The soldiers whom he had conquered with weapons, as by himself, as those who are dead from cold, their hands were clinched together, their dead bodies were found, right and left, before and behind, he poured like a flood, inside and outside the city, lowland and high place, he filled with destruction, he made a desert. Nebuchadnezzar, the pious, the obedient, who unceasingly works toward his purpose, who until the gods awarded him

¹ Hinke, *Boundary Stone of Nebuchadnezzar*, 1907; *Selected Kudurru Inscriptions*, 1911, 21 ff. Charter granted to Nusku ibni, mayor of Nippur, who is also priest of Enlil, a curious survival, under other names, of the older subject patesi.

² III R, 38, 2; Winckler, *Forsch.*, I, 534 ff.

³ CT, XIII, 48; previously given in Winckler, *Texte*, II, 72; *Forsch.*, 542 ff., though CT says "published for the first time."

the desire of his heart, ceased not from weeping, daily, unceasingly, bowing down left not my heart, on my goodly bed at night I ended not my sleep.¹

The king's heart was cheered by the accession of two important Elamite nobles, Shamua, the son of Nur lishir, and his son Shamai, former priests of Ria in the city of Din sharri, and he willingly promised to restore them.² Another eastern chief had entered his service as commander of the chariotry, Ritti Marduk of Bit Karziabku.³ Nebuchadnezzar

received his commission from the king of the gods, Marduk, and he raised his weapons to avenge Akkad. From the city of Der, the city of the god Anu, he marched for thirty double hours. In the month of Dumuzu (July), he took the road. The pickaxe burned like fire, the sand of the roads scorched like flame, there was no water in the cistern and drinking water was cut off, the vigor of the mighty horses failed, and the legs of the strong hero turned aside. The majestic king advanced, with the support of the gods, Nebuchadnezzar marched forward, he had no rival. He feared not the difficult country, the yoked horses he urged on. Ritti Marduk, the lord of Bit Karziabku, his chief charioteer, at the right hand of the king, his lord did not see, and his chariot he drove forward. The mighty king hastened, he came to the bank of the river Ula. The kings took their position opposite each other, they made battle, in their midst fire flashed forth. The face of the Sun God was obscured by their dust, the hurricane swept along, the storm raged. In the storm of their battle; the lord of the chariot did not see the companion at his side. Ritti Marduk, the lord of the house of Bit Karziabku, his chief charioteer, did not remain at the side of the king, his lord, he drove forward his chariot. He did not fear battle, he went down against the enemy, and among the enemy of his lord he valiantly entered. By the command of the gods Ishtar and Adad, the lords of the battle, Hulteludish, the king of Elam, turned and died,⁴ and king Nebuchadnezzar stood in triumph, he took captive the land of Elam, he made spoil of its possessions.⁵

Marduk, as a result of my prayer of lamentation, of my raising of the hand in worship, and of the downcasting of my face, whereby I daily

¹ IV R. 20, 1; Winckler, *Forsch.*, I, 538 ff.; Martin, *RT*, XXIV, 96 ff.

² Kudurru, S. A. Smith, *Letters*, IV, pls. viii f.; CT, IX, 4 f.; Meissner, *ZA*, IV, 259 ff.; Winckler, *ibid.*, 403 ff.; Peiser, *KB*, III, 1, 172 f.; King, *Boundary Stones*, 96 ff., pls. XCV f.

³ Read Lakti Shipak of Bit Karziashku, Hüsing, *OLZ*, XVII, 156.

⁴ For correction of text and identification with Hulteludush-Inshushinak, successor of Shilhak In Shushinak, *Del*, XI, No. 97 ff., cf. Thureau-Dangin, *RA*, X, 97 ff.

⁵ Kudurru, V R, 55 ff.; Hilprecht, *Freibrief Nebukadnezar's*, I, 1883; Pinches-Budge, *PSBA*, VI, 144 ff.; Peiser, *KB*, III, 1, 164 ff.; C. D. Gray, in Harper, *Lit.*, 8 ff.; King, *Boundary Stones*, 29 ff., pls. LXXXIII ff.

approached him and wept, turned his face to enter the holy city, from the hostile land of Elam he took the high road, the path of joy, the desired way to Babylon. When the men of the land saw his exalted, beautiful, and lovely form, they were all prepared to greet the shining lord. - He passed in and entered his abode of peace; Bab Sulim, the shrine of his lordship gleamed, was full of joy. The heaven brought forth its abundance, the earth its richness, the sea its dolphins, the mountain its products, without like. All that had tongue brought their rich tribute to the lord of lords, lambs for the slaughter, mighty bulls, imposing offerings, sheep, and incense. The incense raised a pleasant odor. I will praise his might, his strength will I praise, his lordship will I praise. His heart he fixed for return, he heard my prayer, his neck he turned. The Elamite who feared not his great godhead, who had spoken insolence against his great godhead, use thy weapons against the overbearing Elamites, destroy his troops, scatter his forces, destroy like smoke, take away like the flood.¹

With Bel Marduk returned from Elam the god Ria to rejoice the hearts of Shamua and Shamai. He was settled in Hussi, where his former priests were still to exercise their offices, supported by grants of land from Upi, Dur Sharrukin, Bit Bazi, and Bit Akkar-nakkandi, the last of which was to be considered the especial city of Ria.² The cities of Bit Karziabku had under a former king been free from taxes, but through enemies and contrary to their laws it had come to pay the *ilku* dues of the Namar province. In return for the service which the king had seen rendered among his enemies by Ritti Marduk, he gave a decision and the cities enjoyed their freedom from taxation as in former times.³

Nebuchadnezzar furthermore claims that he overthrew the mighty Lulubi with the sword, conquered the Amorites, and despoiled the Kashshites.⁴ The boasts as to the Kashshites and the Lulubi may be due merely to his having conquered representatives of these various peoples in his battles with Elam; the war with the Amorites was more serious. In the month of May, in the third year of Nebuchadnezzar, the men of the Hittite land opposed his troops, in other words, they invaded Babylonia. Nebuchadnezzar summoned his

¹ IV R, 20, 1; cf. the astrological letter, Thompson, *Reports*, 200, where a prediction is "according to the tablet 'How Nebuchadnezzar spoiled Elam.'"

² Kudurru, King, *Boundary Stones*, 96 ff.

³ V R, 55 ff. A study on Babylonian feudalism in its relation to the land system is under way.

⁴ Ritti Marduk kudurru.

troops, in thirteen days to the Hittite country he marched, he struck off the heads of the men of Ammananu, impaled them on poles, carried them off into captivity.¹

For one series of events in his reign, the relations with Assyria, we have a fairly good record. After a long reign (about 1185-1155), Ashur dan had been followed by Mutakkil Nusku (about 1155-1135), of whom we have but the mention of his name,² and he by Ashur resh ishi (1135-1110), with whom another advance begins. He claims to have subdued the Ablame, the Lullume, and the Quti; his most significant title, however, is "Avenger of Assyria,"³ which he earned by his wars with Babylon. The initiative was taken by Ashur resh ishi, but it was not long before Nebuchadnezzar, fresh from his wars with Elam, took vengeance for the breaking of the treaty of complete alliance which had formerly held between them by driving him home. He collected his siege engines and advanced to the Assyrian fort of Zanqi. Ashur resh ishi fell upon him at this place and forced him to retreat hurriedly, burning his siege train behind him. Nebuchadnezzar collected a new army and made a second attempt to invade Assyria, but again the defenders were victorious, forty chariots were taken, and the leader of the expedition, Karashtu by name, fell into their hands.⁴ The four kings had ruled successfully ninety-five years, the way was prepared for Tiglath Pileser I.

After a reign of at least sixteen years (1140-1124), Nebuchadnezzar was followed by Enlil nadin apal, of whom we know nothing, save as a boundary stone hints at a troubled succession, and proves at least four years of rule (1124-1120).⁵ We have a considerable

¹ Strassmaier, *Hebr.*, IX, 4 f.; Winckler, *Textbuch*, 56 f., and Rogers, *Cuneiform Parallels*, 369 f., attribute it to the second Nebuchadnezzar, but the obverse—or is it the reverse?—specifically refers to the memorial stone set up by Nebuchadnezzar, the son of Ninib nadin shum.

² Tiglath Pileser I, *Ann.*, VII, 45; Nineveh palace, G. Smith, *Disc.*, 251.

³ Bowl ins., III R, 3, 6 ff.; Budge-King, *Annals*, 17 ff.; Schrader, *KB*, I, 1, 12 ff., erected a palace in Apki, Broken Obl. 34, doubtfully connected with the Apki of Ashur nasir apal, Kurkh ins., I, 32.

⁴ *Synchr. Hist.*, II, 18 ff. Hall, *Hist.*, 387, places this battle "in North-western Mesopotamia, in the Euphrates Valley somewhere about the mouth of the Khabur," but there is no evidence for this location and it is improbable.

⁵ *OBI*, 83; I, 38 ff.; Oppert, *ZA*, VIII, 360; Hilprecht, *Assyriaca*, 1 ff.; Peiser, *KB*, IV, 64 ff.; Hinke, *Boundary Stone*, 12; *Kudurru Ins.*, 28 ff.; Toffteen, *Chron.*, 83 ff.; cf. kudurru from his period, King, *Boundary Stones*, 76 ff., pls. I ff.

number from the reign of Marduk nadin aḫe (1120–1107), but they tell us next to nothing of what we would know as to political conditions.¹ We learn that he ruled at least thirteen years (1120–1107), that his territory extended as far to the northeast as Bit Ḫamban, and that before his tenth year he had defeated Assyria and thereafter made a grant of land to his faithful servant Adad zer iqisha for the part he had played in the battle.² His wars with Tiglath Pileser, the mighty son of Ashur resh ishi, proved disastrous,³ and his place was taken by Marduk shapik zer mati.

Of Marduk shapik zer mati (1107–1080), we only hear that he made a treaty of complete alliance with Ashur bel kala, Tiglath Pileser's son, and "went from Assyria to Sippar," a phrase which points to Assyrian overlordship and to a loss of prestige by Babylon so great that it must now cede to another city. Perhaps this Assyrian lordship was the reason why forty-four kings of the lands "saw abundance."⁴ His Assyrian policy availed him little, for he was soon driven from his land and his place taken by Adad apal iddina (1080–1058).⁵ The Assyrian account briefly disposes of him as the son of a nobody, Esaggil shaduni. The late Babylonian narrator informs us that he was the son of Itti Marduk balatu, the Aramaean, the usurping king.⁶ Now we do actually have two inscriptions of an Itti Marduk balatu, one a deed dated in the reign of Itti Marduk balatu,⁷ the other is of an Itti Marduk balatu, king

¹ Tablet from Za'aleh, 12 miles northwest of Babylon, I R, 66; Oppert, *Expéd. Mésop.*, I, 252 f.; *Doc.*, 81 f.; *RP*, IX, 91 f.; Peiser, *KB*, IV, 66 ff.; cf. III, 1, 174 f.; G. Smith, *TSBA*, I, 74; King, *Boundary Stones*, 98 f., pl. XCVII; Yale kudurru, Clay, *Misc. Ins.*, No. 37; Warwick kudurru, Sayce, *PSBA*, XIX, 70 ff.; Nippur kudurru, Hilprecht, *Explorations*, 519; Ashur Ins., *MDOG*, XXII, 20; probably from his reign is III R, 41 f.; Oppert, *Doc.*, 117 ff.; *RP*, IX, 103 ff.; Belser, *BA*, II, 124 ff.; Peiser, *KB*, IV, 74 ff.; Hinke, *Kudurru Ins.*, 30 ff.; King, *Boundary Stones*, 37 ff., pls. LIII ff.; also the Amran ibn Ali kudurru, Koldewey, *MDOG*, VII, 27 ff.

² Kudurru, III R, 43 f.; Oppert, *Doc.*, 98 ff.; *RP*, IX, 96 ff.; Belser, *BA*, II, 116 ff.; Peiser, *KB*, IV, 68 ff.; Hinke, *Kudurru ins.*, 33 ff.; King, *Boundary Stones*, 42 ff., pls. XLIII ff.

³ For details, cf. Olmstead, *JAOS*, XXXVII, 183 ff.

⁴ *Synchr. Hist.*, II, 41 ff.; Chron. K, 3, I, 8.

⁵ Kudurru, King, *Boundary Stones*, 81 f., pl. 14; tablet, *ibid.*, 99 ff., pl. 17.

⁶ *Synchr. Hist.*, l.c.; Chron. K, l.c.

⁷ King, *Boundary Stones*, 108 ff., pl. CVI; placed by King, p. ix, in the Ninth Dynasty, though in his *History of Babylon* no such ruler is there listed. The tablet is too fragmentary for certain connection, though the witness Taqisha . . . might be compared with Taqisha Belti who witnesses the Adad zer iqisha charter of Marduk nadin aḫe, II, 7.

of an unknown region, beloved of the great gods. He is the son of a ruler whose name may be read Marduk nadin¹ aḫe, the exalted prince, the hero, governor of Babylon, called by Anu and Dagan, patesi of another god and goddess, king of an unknown region, king of Shumer and Akkad.² The name also occurs in a list of kings who are unfortunately not in chronological order.³ If his father was indeed Marduk nadin aḫe, then we have in him the legitimate successor of his father, with Marduk shapik zer mati as the usurper and Adad apal iddina as the restorer of the dynasty.⁴ Stranger things have happened in history than such a successful denial of the truth.

So perhaps after all we need not be surprised that Ashur bel kala was even more friendly to him than to his predecessor. So good were the relations that he married the daughter of Adad apal iddina. Special emphasis is laid by the scribe on her rich dowry,⁵ it is quite within the range of the possibilities that Ashur bel kala did not go to Babylonia for the sole purpose of a marriage, that the daughter and the rich dowry were the price paid to Assyria for aid in winning back the lost Der, in extending the rule of Babylon as far south as Nippur, and in protecting the country from further incursions of the desert nomads, the Sutu, who had just plundered Shumer and Akkad.⁶ Long after, it was remembered how the Sutu in their raid had destroyed the great Shamash temple at Sippar and had brought its ceremonies to a close.⁷

After reigning twenty-two years, Adad apal iddina was followed by Marduk aḫe erba, whose brief sway of a year and a half has given us but a single boundary inscription.⁸ The next king ruled thirteen

¹ So read for the KAB of Winckler?

² Winckler, *Untersuch.*, 139; I cannot at the moment verify the reference to VS, I, No. 112.

³ V R, 44.

⁴ Rogers, *Hist.*, II, 131, places Itti Marduk balatu as successor of Marduk nadin aḫe with the year-and-a-half reign which the king list assigns to the ninth ruler of the dynasty, and follows him with Marduk shapik zer mati.

⁵ *Synchr. Hist.*, l.c.

⁶ Chron. K, 3.

⁷ Nabu apal iddina tablet; cf. King, *Boundary Stones*, 120, pls. XCVIII ff. Cf. also cone, Place, *Ninere*, III, 78; II, 308; Smith, *TSBA*, I, 72; Winckler, *Untersuch.*, 28, n. 2; Hilprecht, *Explorations*, 519; King, *Boundary Stones*, 81 f., pl. 14; 99 ff., pl. 17.

⁸ Schell, *RT*, XVI, 32 ff.; OBI, 149; Hinkel, *Boundary Stones*, 188 ff.

years (1057-1044), but the list has preserved only Marduk zer of his name. The nine years' reign of Nabu shum libur (1044-1035) brought the dynasty to an inglorious end.¹ Hereafter the rulers, even when nominally independent, are satellites of Assyria, and Babylonian history is thenceforth a phase, though a particularly interesting phase, of the Assyrian control of dependencies.

¹ Duck weight in which he still calls himself king of Kishshati, Layard, *Inscriptions*, 83 f.; Norris, *JRAS*, XVI, 215; Weissbach, *ZDMG*, LXI, 394 f.; King, *PSBA*, XXIX, 221; *Religious Chronicle*, King, *Chron.*, II, 72, 159, where the broken context makes the reading uncertain. A kudurru dated in the reign of Nabu iddina shumu, with characters of the end of the dynasty, is mentioned by Sayce, *Expos. Times*, XIX, 498.

EXPLANATORY LIST, Rm. 2, 588

BY THEOPHILE JAMES MEEK
Meadville Theological School

Through the courtesy of Dr. E. A. Wallis Budge, of the British Museum, I was able to recopy this tablet, which had been previously published by Meissner (*Supplement zu den assyrischen Wörterbüchern*, p. 25). That a new edition was needed is readily apparent from the long list of values given below, for in that list I have included only those that are additions or corrections to Meissner as collated by him in his *Seltene assyrische Ideogramme*. Unimportant values were omitted by him and are likewise omitted here. The unjoined fragments of the tablet were not copied at all by Meissner. A number of the values collated here have been hitherto unknown, and others have been known only imperfectly.

The text is arranged in double columns, three on each face of the tablet. The left double column contains the ideogram to be explained, together with its Sumerian value, written as a gloss. In the other column is the Semitic value. The ideograms are grouped in paragraphs, those with the same Sumerian value being grouped together.

The paragraph, Rev. 31-37, was published by me (*AJSL*, XXXI, 287), and has recently received a very illuminating treatment from Langdon (*JRAS* [January, 1919], pp. 37 ff.). Now that Scheil has published the Paris text¹ from which Langdon quotes, the latter's discussion of *TAG+TUG* can be somewhat amplified and corrected in places. Scheil's text turns out to be in part a duplicate of *CT*, XII, 24, which text is another that Langdon uses. The latter text, lines 65-68a, can be restored from Scheil, lines 200, 204, 206, and 205, respectively, as follows:









65. [ti-bi-ir]:TAG+ŠU:šû ša šu-ri-dak-ku [i-gub]:ri-il-tum
66. [si-lik:T]AG+UD:uttû ša ut-la " " (i.e., šuridakku igub): [" (i.e., rittum)]
67. [" (i.e., silik):TAG+TUG:tukullu ša] tu-kul-la " [" (i.e., šuridakku igub): " (i.e., rittum)]
68. [" (i.e., silik):TAG+GUD:guddu ša g]u-ud-da " [" (i.e., šuridakku igub): " (i.e., rittum)]

¹ *Nouveaux vocabulaires Babyloniens*, pp. 5 ff.






























In the first two lines Scheil has *ḫātum* as a variant of *rittum*, and in the last two lines *up-nu* appears in place of *rittum*. From these lines it is clearly seen that *TAG+TUG* here does not have the value *ḫāširu*, "fuller, laundryman," as Langdon contends (*op. cit.*, p. 40), but rather *rittum*, var. *ḫātum*, var. *upnu*. The only passage quoted by Langdon that would indicate "fuller" as the meaning of *TAG+TUG* is our tablet, Rm. 2, 588, Rev. 33, where *RAT* is translated *ḫāširu*.¹ To this reference he might have added II R 51, 39c, ¹⁴*tug-tag-ga = ma-ḫi-šu ša ḫu[bāti]*. If *TAG+TUG* has to define a personage of some sort, why not see in it the more general term "workman, artisan"? This meaning is supported by our tablet, Rm. 2, 588, Rev. 31-36b, where we have a list of artisans equated with ⁴*TAG+TUG* (cf. Langdon, *op. cit.*, p. 40).

Langdon's further contention that the name *Uttu* is an abbreviated form of *Ut-napištim* seems to be well taken. Or, since the shorter form seems to be the earlier, may not the longer form be a later amplification of the other? For a further discussion of this whole problem see Langdon's recently published *Le poème sumérien du paradis, du déluge et de la chute de l'homme*.

The *TAG+ŠU* of *CT*, XII, 24, 65a, appears again in K. 8488, Obv. 8/9, 10/11 (published by me in *BA*, XI, 80), where *ZIG-TAG+ŠU-RA = tu-šu*. According to Br. 4693 *ZIG-TAG-ŠU-RA = imšu*, and *imšu* according to K. 6003, 5 (*CT*, XIV, 16) is some sort of stone (cf. also Scheil, *op. cit.*, p. 46, note on l. 64). Accordingly, *tušu* is to be interpreted as a kind of stone, and this meaning agrees well with the context (cf. also Muss-Arnolt, *DAL*, 1199a).

1.  (?) = *na-ša-rum*, Rev. 11a.
2.  = " (i.e., *na-ša-rum*), Rev. 12a.
3.  (), *ut-tu* = " (i.e., ⁴*TAG+TUG*), Rev. 32b.
4.  ~~~~, *ki-ši*, Semitic value obliterated, Obv. 17c.
5.  , *gi-ir = paš-rum*, Obv. 39b; cf. *SAI*, 191.
6.  , *še-ig = ša-ku-um-m[a-tu]*, Rev. 28c; cf. *SAI*, 547.

¹ Another translation could be *māḫiḫu*; cf. *SAI*, 1315, 10260.

7. , *ki-id=ka*, Rev. 22c; cf. Obv. 22c and Br. 1363.
8.  () , *ut-tu* = " (i.e., ^d*TAG+TUG*), Rev. 33b.
9. , *gi-e=la-mu-u*, Obv. 21b; cf. Delitzsch (*SGL*, p. 223) *zi* = "umschliessen."
10. , *gi-e=ki-i-nu*, Obv. 25b; cf. Br. 2391.
11. , *tu-u=ba-tu-u*, Rev. 28b.
12. , *tu-u* = " (i.e., *ba-tu-u*), variant *ka-ma-rum*, Rev. 29b; cf. *SAI*, 1770, and correct *SAI*, 1767. Meissner incorrectly read the disjunctive sign as *ša*.
13. , [*ga-ar*]:*ša ē-gar=ku-um-mu*, Obv. 7b; cf. *SAI*, 4447.
14.  , [*ga-ar*] = " (i.e., *lil-du*), Obv. 3b; cf. Chicago¹ 69, note.
15. , *ut-tu* = ^d*TAG+TUG*, Rev. 31b.
16. , [*ga-ar*] = " (i.e., *lil-du*), Obv. 2b; cf. No. 31. *TA* may be a scribal error for *GA-NI* (cf. Delitzsch, *SGL*, p. 75; *SAI*, 4369; Chicago 30).
17. , *še-e*, Semitic value obliterated, Rev. 13c.
18.   , *ki-ši*, Semitic value obliterated, Obv. 16c; cf. *CT*, XII, 24, 32b.
19. , *še-ig=ba-ša-l[um]*, Rev. 26c. Correct *SAI*, 3095.
20. , *eš=um-ma-a-tum*, Rev. 18b.
21. , *eš=ku-uš-šu*, Rev. 19b.
22. , *gi-im* = " (i.e., *ša-nu-u*), Obv. 30b; cf. *SAI*, 3306.
23. , *ka-a*, Semitic value obliterated, Obv. 6c.
24. , *še-e*, Semitic value obliterated, Rev. 14c.
25.  () , *ut-tu* = " (i.e., ^d*TAG+TUG*), Rev. 36b.
26.  , *ki-ši* = [*zir-ba-bu*], Obv. 13c; cf. Chicago 64; *SAI*, 3876.
27.  , *ki-ši* = [*zir-ba-bu*], Obv. 14c; cf. Chicago 63, *SAI*, 3879.
28. , [*ga-ar*] = [*bar-b[u]*], Obv. 4b; cf. Chicago 127, and correct *SAI*, 4036.

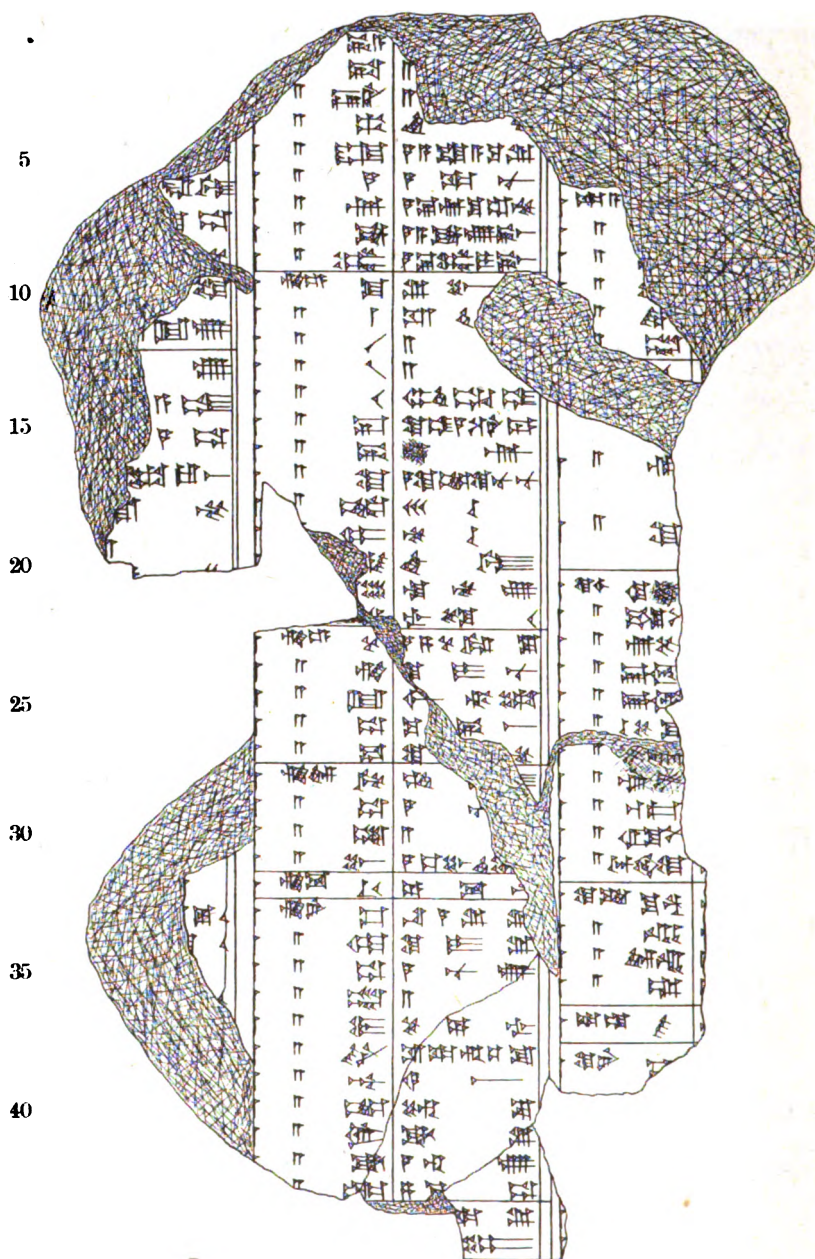
¹ The Chicago Syllabary, published by Luckenbill, *AJSL*, XXXIII, 169 ff.

29. , *ki-id* = *mi-n[u-tum]*; Rev. 19c; cf. Rev. 37b and Obv. 24c.
30. () , *ut-tu* = " (i.e., ^d*TAG* + *TUG*) , Rev. 34b.
31. , [*ga-ar* = *lil-du*] , Obv. 1b; cf. Chicago 31 and note on 24 f. Luckenbill's query whether the Sumerian pronunciation of *ga-ni* is not *ga* or *gau* is to be answered by saying that it is rather *gar*.
32. , *ki-ši* , Semitic value obliterated, Obv. 11c.
33. , *ga-ar*:ša *a-gar* = *a-ma-ru* , Obv. 5b; cf. Yale¹ 156 and *SAI*, 8915.
34. , *ka-a* , Semitic value obliterated, Obv. 5c.
35. , *še-e* , Semitic value obliterated, Rev. 16c.
36. , *gi-e*:ša *za-ge* = *el-lu* , Obv. 23b; cf. *SAI*, 9047, and correct *SAI*, 9327.
37. , *gi-im*:ša *giš-gim* = *bi-l[i-bu]* , Obv. 31b. Correct *SAI*, 5527.
38. , *tu-u* = *um* - [*ma-rum*] , Rev. 26b; cf. *SAI*, 6206, and correct *SAI*, 6209.
39. , *ki-ši* , Semitic value obliterated, Obv. 19c.
40. () , *ut-tu* = " (i.e., ^d*TAG* + *TUG*) , Rev. 35b.
41. , *gi-e*:ša *ge-bil* = *ki-nu-nu* , Obv. 17b; cf. *SAI*, 7342.
42. = *gi-it ar-ḫi* , Rev. 13a; cf. Sb 87.
43. , *ki-ši* = [*mut-ta-tu*] , Obv. 18c; cf. *CT*, XVIII, 32, 10b, where *ki-maš* is to be corrected to *ki-ši*; also *SAI*, 7487.
44. , *gi-ir* = *na-gar-ru-ru* , Obv. 33b; cf. Obv. 26c and Yale 23, where the Sumerian value is given *ki-ir*. Correct Br. 10195.
45. , *gi-e* = *ru-bu* - [*u*] , Obv. 10b; cf. Yale 149 and *SAI*, 7992. Strike out *SAI*, 5065, as incorrect.
46. , *še-e* = *su* - , Rev. 18c; cf. *SAI*, 7979, and Yale 153.
47. , *še-eš* = *ba-ku* - [*u*] , Rev. 23c; cf. *SAI*, 8314.
48. , *ki-ši* , Semitic value obliterated, Obv. 15c; cf. *SAI*, 8375, and Br. 10901.
49. , *ki-ši* = [*pi-a-zu*] , Obv. 10c; cf. Yale 173; also Br. 11937, and correct *SAI*, 11267.
50. , [*ga-ar*]:ša *é-gar* = *i-ga-rum* , Obv. 9b; cf. Br. 6274 and Scheil (*op cit.*, p. 22, note to l. 82).
51. , *eš* = *ši-ik-du* , Rev. 21b.

¹ The Yale Syllabary, published by Clay, *Miscellaneous Inscriptions in the Yale Babylonian Collection*, pp. 85 ff.

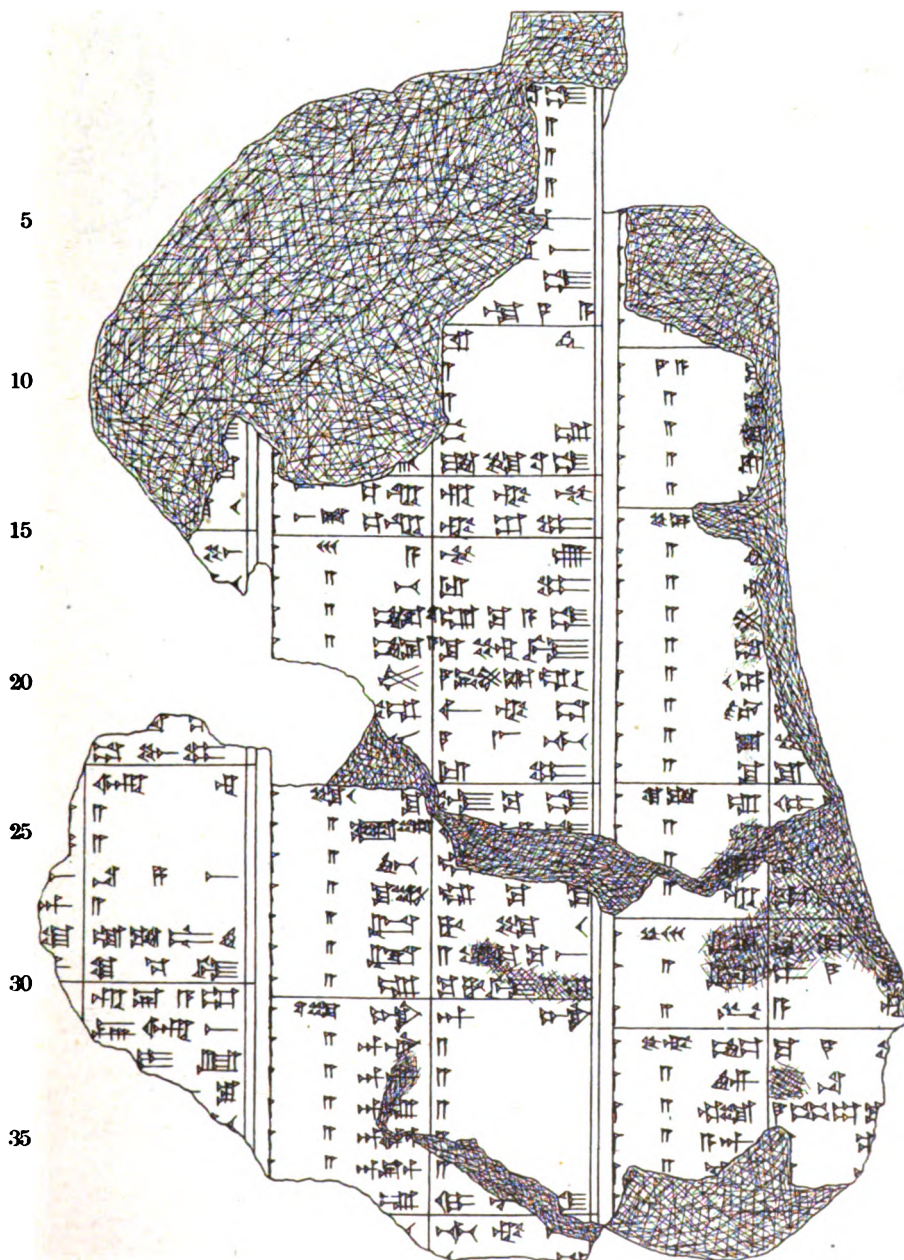
Rm. 2, 588

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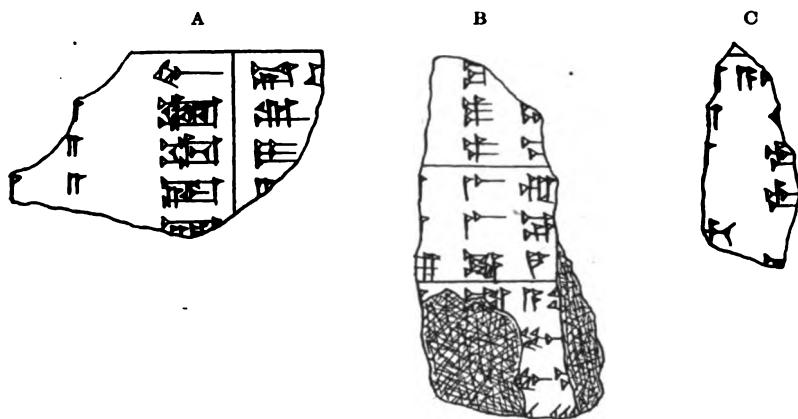


Rm. 2, 588

REVERSE



UNJOINED FRAGMENTS OF Rm. 2, 588



Critical Notes

THE INFLUENCE OF THE GREEK BIBLE ON THE PESHITTA

It is generally known that, in matters relating to the textual criticism of the Bible, the Peshitta has been obliged to take a subordinate place to other versions, if not entirely neglected. On the other hand the Greek Bible almost invariably receives first consideration. The inevitable result of this tendency has been to curtail the critical authority of the Syriac Bible when it differs from both the Hebrew and the Greek texts. But while the Syriac rendering is seldom, if ever, adopted against both Greek and Hebrew, it is yet considered to be a somewhat strong confirmation of the version with which it agrees.

If we are to lay down the general *a priori* rule that the Peshitta is in error when it stands alone, it must follow that its agreement with either or all of the other versions is a matter of no consequence. Such a conclusion no one will admit; but the question still remains open: How much importance shall be attached to the Syriac variants which are against the other authorities? The answer to this question must depend largely upon the answer to another question: Is the Peshitta as we possess it an altogether independent translation? If it is, its critical value is greater than that now ascribed to it; but if not, if it has been influenced by other versions, it must ever content itself with a place subordinate to the older translations of the Bible.

It has repeatedly been asserted that the original text of the Peshitta was influenced by the LXX.¹ Indeed, the striking agreement between many variants of the Peshitta and the LXX from the Massoretic text has long been recognized. It was noticed and commented upon by such scholars as Credner,² Perles,³ Ryssel,⁴ Baethgen,⁵ Cornill,⁶ Gottheil,⁷ and many others. Some

¹ See J. G. Eichhorn, *Einleitung in das AT*, I (Leipzig, 1780–83), 452; K. A. Credner, *De prophetarum minor. vers. Syr.*, etc. (1827), p. 112; F. Baethgen, *Jahrb. f. prot. Theol.* (1882), p. 435; C. H. Cornill, *Ezechiel*, pp. 153 f.; M. Sebök, *Die syr. Uebersetz. d. zwölf kl. Proph.*, p. 7; F. Buhl, *Kanon und Text d. AT*, p. 190; Gottheil, in *Mitteilungen d. Ak.-Orient. Vereins zu Berlin*, No. 2 (Berlin, 1889), p. 25, n. 14; Bleek-Wellhausen, *Einleitung*, etc. (6th ed., 1893), p. 560; H. Pinkuss, *ZATW* (1894), pp. 94 ff.; W. E. Barnes, *JTS*, II, 186 ff.; A. Sch. Kamenetzky, *ZATW* (1904), p. 237, and others.

² *Op. cit.*, p. 109; cf. Sebök, *op. cit.*, pp. 6–8.

³ *Melet. Peschit.*, p. 4.

⁴ *Micha*, p. 169.

⁵ *Untersuchungen*, etc., p. 25.

⁶ *Ezechiel*, pp. 153 f.

⁷ *Loc. cit.*

scholars have given this subject their special attention,¹ not to speak of the occasional remarks scattered in various works on the textual criticism of the Bible. Yet it was not until recent times that the question became the subject of systematic study. But the problem is beset with many difficulties. It is now generally recognized that neither version is homogeneous; many hands or groups of hands are to be detected in the Peshitta just as in the LXX, and neither version offers a settled text to work upon. Besides, the materials for comparing the Peshitta with the LXX, and for tracing the changes which the Syriac version is supposed to have undergone in the lapse of time from external influences, are extremely meager and scanty. Students of the LXX know that the translators of that version not uncommonly misread, and so mistranslated, quite common Hebrew words, even though their mistranslation destroys the meaning of the passage.² John Taylor³ is very likely not far from the truth in his assertion that "the LXX ought not to be credited with so overwhelming an influence over the other versions as is frequently ascribed to it."

It has been shown⁴ beyond any shadow of a doubt that in the LXX different groups of books are due to different groups of translators. The same as we have already noticed⁵ may also be claimed for the Peshitta. It is difficult to believe that the same school of translators rendered into Syriac both the Pentateuch and the Psalms, and "if there were as many as two schools, there may well have been more."⁶ Eberhard Nestle⁷ has advanced proofs for the theory of a variety of translators in the Peshitta. The fact is that the Syriac Pentateuch contains some bold anthropomorphisms, while the Syriac Psalms cautiously exclude expressions in which God is compared with the things of sense.

The unsettled state of the text of the Peshitta presents another difficulty. It is necessary to distinguish, one from the other, as many as three streams of influence issuing from the LXX and bearing on the Syriac. It is remarkable—the Syriac translators themselves seem to have been affected—"for any text critically constructed from the earliest Eastern and Western MSS must show some signs not to be mistaken of the influence of the Greek version."⁸

¹ Credner, *loc. cit.*, advanced the theory that the very translators of the Peshitta made direct use of the LXX. But all other scholars doubt this. See, e.g., R. Simon, *Hist. crit. du vieux test.* (1678), p. 277; Bertholdt, *Hist. Krit. Einleitung*, etc., II (1812-19), 597; L. Hirzel, *De Pentateuchi versionis syriacae, quam Pesch. vocant, indole*, etc. (Leipzig, 1815), p. 24; Herbst, *Hist. Krit. Einleitung*, I, 196, and many others.

² Driver, *Notes on the Hebrew Text of the Books of Samuel*, p. lx.

³ Micah, p. v.

⁴ Swete, *Intr. to the O.T. in Greek*, pp. 315-19.

⁵ *AJSL*, July, 1919.

⁶ Barnes, *JTS*, II (1900-1901), 187.

⁷ In Herzog's *REPT*, III, 167 ff.

⁸ Barnes (*op. cit.*, p. 187) derived this impression "from an examination of MSS belonging to eight different collections in England, France, Germany, and Italy."

Besides, the transcribers of the earlier MSS have been influenced in places by the LXX through the Syriac translation of the Hexaplar text made by Paul of Tella. A more direct influence was no doubt exerted through the church fathers who were Greek in education, though they presided over Syrian dioceses, such as Theodor of Mopsuestia, to whom the headings of the Psalms found in many early MSS of the Peshitta are due.¹ One must also not overlook the fact that the transcribers of the latter MSS have been influenced, at any rate, in the Psalms, by the recommendation of readings of the Greek in preference to those of the Peshitta made by Bar Hebraeus in his *ⲁⲓⲣⲁ Ⲡⲉⲗⲁ* (*Auzar Rāzā* (i.e., Scholia on the Bible)).² As the printed text was taken from late MSS, it too owes something to the emendations of Bar Hebraeus.

W. E. Barnes³ has succeeded in his endeavor to show "that the influence of the LXX frequently takes effect on the ideas or on the manner of the Syriac translators rather than on their words," and in support of his contention quotes "instances in which the expression as well as the thought of the Syriac has been affected by the Greek."⁴ He furthermore maintains that this so-called influence of the Greek is for the most part sporadic, affecting the translation of a word here and there. The Syriac translators must indeed have known that their own knowledge of Hebrew was far in advance of the knowledge possessed by the translators of the LXX, and yet the stress of Greek fashion has its way now and again. The Syriac transcribers, on the contrary, were ignorant of Hebrew and ready to introduce readings found in a Greek version or recommended by a Greek church father. So the Peshitta in its later text has more of Greek influence than in its earlier form. It is only in the Psalms that any general Greek influence bringing in a new characteristic, which lies in a dread of anthropomorphism from which the Syriac translators of the Pentateuch were free, is to be found.

On the influence of the LXX on the Syriac Psalms scholars speak with certainty.⁵ But when they try to apply the same theory to other books of

¹ See Prager, *De Vet. Test.*, etc., pp. 52-56. It is for this reason that the superscriptions of the Syriac Psalms cannot be involved in the questions of origin and authorship of the Peshitta. See Nestle, in *Theol. Literatur z.* (1876), XI, and Baethgen, *Untersuchungen*, etc., p. 10.

² Cf. Rahlfs's "Beiträge," etc., *ZATW*, IX (1889), 171-80.

³ *JTS*, II, 186 ff.

⁴ Barnes, *op. cit.*, pp. 189-91.

⁵ See, e.g., Berg, *The Influence of LXX upon the Peshitta Psalter*. Indeed there were scribes (found in codices A, D, E, F) who labored under the astounding belief that they were transcribing the *David of the Separated Ones* (ܕܡܠܚܝܬܐ ܕܕܐܘܕܐܝܬܐ), i.e., of the Seventy who worked according to an often-repeated tradition in separate cells. See Eusebius *Hist. Ecc.* 8. 10, (ܠܗܘܬܐ ܕܐܘܕܐܝܬܐ ܕܕܐܘܕܐܝܬܐ), "which was translated by them from the language of Palestine into Hebrew, and from Hebrew into Greek, and from Greek into Syriac." Those who believed that the Seventy had translated their own Greek into the Syriac of the Peshitta would naturally strive to correct copies of the Syriac by the help of the LXX.

the Bible they speak with less confidence and avoid hasty conclusions.¹ Thus Nestle,² e.g., is very cautious neither to affirm nor to deny the influence of the LXX on the Peshitta, within the limits of the Pentateuch. It is indeed dangerous ground, for both the Haggada and the Halakah have influenced the Peshitta and the LXX,³ and this influence may have touched both versions independently in the same progress. Hence, even in cases where a well-attested reading of the Peshitta agrees with the LXX, and is probably derived from it, allowance must also be made for the fact that such a reading may on the contrary be due to a corruption within the Syriac itself, for a single stroke makes the difference of reading. But wherever there is a real difficulty in the text, the LXX and the Peshitta each pursue their own way.

Assuming that "it seems tolerably certain that alterations were made from time to time with a view of harmonizing the Syriac text with that of LXX,"⁴ we must reckon with another difficulty: namely, the condition of the LXX text. As the active influence of the Greek over the Syriac lasted, it seems, for a period extending over several centuries, the Greek text itself underwent considerable change. Sometimes the hand laid on the Peshitta is that of the unrevised LXX, sometimes it is the hand of Theodotion⁵ or Symmachus acting through the Hexaplar text. The Greek Bible in almost any form seems to have carried weight with the Syrians. It is now quite a well-known fact that for various reasons such Syrians as Theodor of Mopsuestia and Bar Hebraeus preferred the use of the LXX or the Syro-Hexaplar version instead of the Peshitta. Such an authority as C. F. Burkitt⁶ is inclined to trace the hand of Palût, or the mission from Antioch which is associated with the name of Palût and Serapion, in every case where Greek influence is found in the Peshitta.

In the light of what has been said above, there can be no question that Ryssel⁷ is correct when he says, "Bei der Vergleichung der Pesch. mit dem hebr. Urtexte muss man immer im Auge behalten, dass die syrische Übersetzung, wenigstens in ihrer gegenwärtigen Gestalt, vielfach von der LXX abhängig ist." But the mutual relation of the versions has an important

¹ Roediger, article "Peschitto," in *Ersch und Gruber's Real-Encycl.*, col. 292b; Herbst, *op. cit.*, I, 196.

² *REPT*, III, 170.

³ Cf. Frankel, *Vorstudien z. d. LXX*, pp. 183 f., and Perles, *loc. cit.*; Roediger, *loc. cit.*: "Aus gelegentlichen Übereinstimmungen lässt sich noch durchaus nicht mit Sicherheit auf solche Benutzung schliessen, da dieselben auf gleichförmiger traditioneller Erklärung des Grundtextes, oder auf späterer Conformirung, oder gar auf zufälligem Zusammenreffen, beruhen können."

⁴ Wright, *Syriac Literature*, p. 4. Barnes (*JTS*, II, 191) produces evidence from MSS that have been preserved "which illustrate the process of corruption from the LXX under which the Peshitta suffered for centuries."

⁵ See, e.g., Cornill, *Ezechiel*, p. 154.

⁶ *Early Eastern Christianity*, p. 73.

⁷ *Micha*, p. 169.

bearing on their value as witnesses, and subsequently the presence or absence of interdependence must be established more or less definitely. However, in the present state of the work along the lines of textual criticism of the Bible, the student must weigh his evidence upon his own intellectual scales and decide by no other index than his own judgment. Modern scholars have in recent years formulated various sets of rules by the aid of which students are more or less guided in their work. Thus Merx¹ laid down the following rules, each of which, however, may be subject to exceptions:

I. Stimmt Peschita und Septuaginta gegen den masoretischen Text, so enthalten sie das Aeltere.

II. Stimmt Peschita und Masora gegen Septuaginta, so hat letztere das Präjudiz, aber nicht die Gewissheit, das Echte zu bieten.

III. Stimmt Masora und Septuaginta gegen Peschita, so können nur die gewichtigsten innern Gründe die Entscheidung auf die Seite der Peschitalenken.

These are substantially the rules now generally followed by textual critics of the Bible. But to show that the Peshitta is not an independent translation it is not sufficient simply to discern traces of Greek influence in the rendering of individual words. It must be determined, if possible, how that influence was brought to bear upon the text; whether the LXX was the original text or a critical commentary, only such renderings being accepted as in the judgment of the Syriac translators best expressed the meaning of the original; or whether there was a still greater dependence, the LXX being employed as a translation in a language more familiar than the Hebrew, and as such being often bodily substituted in phrases, and even whole verses, when the original was difficult or unintelligible. Nor must we fail to ascertain whether the readings of both LXX and Peshitta, when they agree, may not be traced to a common source, perhaps the hypothetical archetype.² Indeed, J. H. Dathe³ and L. Hirzel⁴ were of the opinion that both the LXX and the Peshitta go back to a common Hebrew text. Their view was accepted by a goodly number of other scholars.

That there really exists a possible relation between the LXX and the Peshitta as a whole one cannot always doubt. But to determine this possible relationship is not so simple a matter. To see what light is thrown by the Greek and Syriac versions of the Bible on the question of general relationship between these two versions as a whole, it seems necessary first to

¹ *Das Gedicht von Hiob*, p. lxxiii.

² The thesis that all extant Hebrew sources for the text of the Bible go back to a first-century archetype was first advanced by Lagarde in 1863. A similar view was reached by Olshausen in the Introduction to his *Commentary on the Psalms* (1853), pp. 17 ff. The thesis has been accepted with some modifications by such scholars as Nöldeke, Wellhausen, W. R. Smith, Cornill, Driver, and many others. See Joseph Reider in *JQR*, VII (1917), 287 f.

³ J. H. Dathe, *Opusc. crit.*, pp. 83 ff.; *Psalterium syriacum* (Halle, 1796), p. xxx.

⁴ L. Hirzel, *op. cit.*, p. 25.

examine these two texts and collate the cases where the Greek and Syriac agree as over against the Massoretic text. Such cases would naturally demand a careful consideration of the question as to whether the Greek and the Syriac do really go back to a common Hebrew source, differing from that of the Massoretic text. In considering the question of dependency of the Greek and Syriac upon one another one must also bear in mind the later editorial efforts which sought to bring both the Greek and Syriac texts of the Bible in harmony with one another. To attempt the solution of this complicated problem one must (a) collate all the variant readings of the Peshitta and decide upon the original form of the Syriac; (b) list all cases of agreement between the Peshitta and the LXX as over against the Massoretic text, and also those between the Syriac and various groups of Greek MSS; and on the basis of facts thus obtained proceed to consider the origin of these agreements. As a rule these questions of dependence must be settled by a process of elimination; otherwise one may be dealing with mere coincidence. Only where the rendering of one version might be reduced to an error of misinterpretation of the other would a certain criterion of dependence be found. But such cases are very few indeed. The problem of the dependency of the versions as a whole is very complicated, and Professor Max L. Margolis¹ is undoubtedly right in his assertion that "no single method will do justice to the problem."

JOSHUA BLOCH

¹ *JQR*, III (1912-13), 132.

Book Reviews

THE SUMERIAN ORIGINALS OF SOME HEBREW LEGENDS

Ever since the day, back in 1872, when George Smith discovered the first fragment of the "Chaldean account of the deluge," biblical scholars have been trying to solve the problem of the relationship between the Babylonian legends and the Hebrew traditions of the origins of civilization. Today it would be difficult to find a scholar of any standing who denies borrowing on the part of Israel. The discussion has resolved itself very largely into an inquiry as to the "when" and the "how" of this borrowing from Babylonia. This applies to the problem as handled by biblical scholars. The assyriologists, on the other hand, are more interested at the present moment in running down the sources of the Babylonian legends. This phase of the inquiry has received special attention at the hand of the author of the *Schweich Lectures for 1916*¹—which we have before us for review—the master assyriologist, Leonard W. King, whose untimely death in August last we mourn. The antiquity of the Babylonian civilization; the several contributions made by Sumerians and Semites to that civilization: therewith is connected the question of priority; these are the preliminary problems with which the assyriologist feels he must deal.

Assyriology, like Egyptology, showed no immunity from infantile diseases. The most persistent malady which afflicted both of these sciences in their childhood was an inflation of the chronology. We heard men glibly speak of 10,000 B.C. as the date of such-and-such an event. Then came a reaction, and, as was to be expected, the pendulum swung to the other extreme. Our historical dates are now being pushed backward again. This has been brought about by a closer study of the results of the excavations of the University of Pennsylvania at Nippur, more particularly by the publication of some texts found on the site of that ancient Babylonian "Mecca." It was these texts that led Dr. King to choose the subject he did for his lectures. Speaking of the hoary antiquity of Nippur he says:

No less than twenty-one different strata, representing separate periods of occupation, have been noted by the American excavators at various levels within the Nippur mounds, the earliest descending to virgin soil some twenty feet below the present level of the surrounding plain. The remote date of Nippur's foundation as a city and cult-centre is attested by the fact that the pavement laid by Nārām-Sin in the south-eastern temple-court lies thirty feet above virgin soil, while only thirty-six feet of superimposed *débris* represent the succeeding millennia of occupation down to Sassanian and early Arab times (p. 20).

¹ *Legends of Babylon and Egypt in Relation to Hebrew Tradition* (the *Schweich Lectures*, 1916). By Leonard W. King. London: Oxford University Press, 1918. Pp. ix+155. 3s.

And in reply to some popular arguments for a relatively late (compared with Egypt) date for the beginnings of the Sumerian civilization in the Tigris-Euphrates Valley, King had this to say:

This [an early list of kings, published by Scheil] had helped us to fill in the gap between the famous Sargon of Akkad and the later dynasties, but it did not carry us far beyond Sargon's own time. Our archaeological evidence also comes suddenly to an end. Thus the earliest picture we have hitherto obtained of the Sumerians has been that of a race employing an advanced system of writing and possessed of a knowledge of metal. We have found, in short, abundant remains of a bronze-age culture, but no traces of preceding ages of development such as meet us on early Egyptian sites. It was a natural inference that the advent of the Sumerians in the Euphrates Valley was sudden, and that they had brought their highly developed culture with them from some region of Central or Southern Asia.

The newly published Nippur documents will cause us to modify that view. The lists of kings were themselves drawn up under the Dynasty of Nîsin in the twenty-second century B.C., and they give us traces of possibly ten and at least eight other 'kingdoms' before the earliest dynasty of the known lists. One of their novel features is that they include summaries at the end, in which it is stated how often a city or district enjoyed the privilege of being the seat of supreme authority in Babylonia. . . . The Dynasty of Ur-Engur, for example, which preceded that of Nîsin, becomes, if we like, the Third Dynasty of Ur. Another important fact which strikes us after a scrutiny of the early royal names recovered is that, while two or three are Semitic, the great majority of those borne by the earliest rulers of Kish, Erech, and Ur are as obviously Sumerian (pp. 27 f.).

The mounds of Nippur have also given us the Sumerian originals of such Babylonian poems as the Creation and Deluge narratives. These King compared very carefully with the later versions, pointing out such facts as that "the Hebrew Versions preserve an original Sumerian strand of the [Deluge] narrative that was not woven into the Gilgamesh Epic, where there is no parallel to the piety of Noah" (p. 131). If I had any criticism to offer on this part of the lectures, it would be to the effect that King was too ready to accept translations and interpretations of these difficult texts by those who were far less competent than himself to undertake such tasks. But this was due in part at least—as was the delay in the publication of the lectures—to "pressure of other work, on subjects far removed from archaeological study and affording little time and few facilities for a continuance of archaeological and textual research" (Preface, p. v). In this work for his king and country was spent the vitality which could not be regained.

Professor King has gone to the Land of No Return. He has left a name written high on the roll of assyriologists and historians, and a memory blest by all who knew him face to face as well as by those who, like the reviewer, knew him only through the kindly word of commendation and encouragement which was ever ready for all his co-workers in the field of ancient oriental research.

D. D. LUCKENBILL

UNIVERSITY OF CHICAGO

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THE SOURCES OF THE CREATION STORY— GENESIS 1:1—2:4

BY JULIAN MORGENSTERN
Hebrew Union College, Cincinnati, Ohio

I

Of all the stories in the Bible none has been studied more diligently and discussed more critically than the story of creation in the opening verses of Genesis. Due to its position at the very beginning of the Bible, to the fundamental religious doctrines which it suggests, and to the so-called controversy between science and religion of the nineteenth century, which, for obvious reasons, centered about it, this story has been subjected to the most minute, scientific analysis. With hardly a dissenting voice modern biblical scholars are agreed that the story, at least in its present literary form, is entirely the work of P.

With surprising unanimity, too, these scholars have agreed that the story, again in its present literary form, is a unit. Practically all admit the interpolation of a few minor glosses, and likewise the transposition or alteration of a few phrases here and there. But almost all biblical scholars today hold that, with these few and unimportant exceptions, the present literary form of the story is very close to the original, and that this was in its entirety the work of one priestly writer or group of writers.

Not quite the same unanimity of opinion obtains in regard to the preliterate sources and history of the story. Again practically all scholars are agreed as to the dependence of the story in its principal details upon the great Babylonian creation myth. But few have carried their investigations into the origins of the biblical creation story beyond this point. Budde¹ has posited the existence of an earlier literary version of the story, the work of J2 writers, which served the later priestly authors as the basis of the story in its present form.

Gunkel² maintains that the Babylonian myth became current in Western Asia at a very early period, and that it was told in Israel from generation to generation. By the time of the early kings the story had become greatly modified, had been gradually divested of its most glaring, and, therefore, from the Israelite standpoint, most objectionable mythological elements, and had adapted itself almost completely to the unmythological and spiritual point of view of Israel's religion. Gradually elements of other traditions, likewise chiefly mythological in character, became fused with the original tradition of Babylonian origin, notably elements of Phoenician and possibly other creation myths, referred to briefly and fragmentarily in 1:2, and the myth of the Golden Age at the beginning of the world, with its implication of the late Jewish eschatological tradition and doctrine that this Golden Age would be restored at the end of time. This composite, but thoroughly fused tradition, after having been current in Israel for many centuries, served the priestly authors as the basis for the present narrative.

Schwally³ holds that the present form of the narrative is the result of the literary fusion of two originally independent and even contradictory versions of the creation story. The one told that God created the universe and all its contents by his word alone, while the other told that God actually worked and made the various creatures, heavenly bodies, monsters, fish, fowl, animals, and man, by his very hands, as it were, in a manner quite similar to the Yahwist account of creation in Genesis, chapter 2. This fundamental difference in the conception of the deity and the nature of his relation to

¹ *Biblische Urgeschichte*.

² *Schöpfung und Chaos in Urzeit und Endzeit, and Genesis*³, pp. 129 f.

³ *Archiv für Religionswissenschaft*, IX (1906), 159-75.

the universe, coupled with very obvious stylistic differences and internal contradictions, has led Schwally to his conclusion.¹

The correctness of Schwally's main contention cannot be gainsaid.² The conception of a deity so transcendental and spiritual that he creates merely by uttering his divine fiat, "Let such and such be," is radically different from the conception of a deity who makes and fashions things, some of them even in his own image. These two conceptions are theologically too divergent and contradictory to be held by one single writer, or even one group or school of writers.

And, as Schwally has correctly observed, this difference is not merely incidental, but is carried through the entire story consecutively and systematically. Gen. 1:3b is the necessary and indispensable conclusion of verse 3a. The first half of the verse gives the incontrovertible fiat, "Let light be," and the second half tells the corresponding result, "And light was."³ Without the intervention of any physical or even non-physical act of construction, that which is commanded by God immediately comes to be. There is no mediation nor conditioning of any kind at all; the divine word once spoken, the thing commanded immediately is. Just this is the thought of the oft-repeated *כִּן יִרְדֵּי*. It is not a mere stylistic phrase, the presence or absence of which was altogether optional with the authors, and therefore of little or no significance. It parallels completely the thought of *כִּן יִרְדֵּי אֵר* of Gen. 1:3, and is in every case the equally essential and indispensable corollary and conclusion to the divine fiat, "Let such and such become (i.e., 'come into being'; in German *werden* rather than *sein*); and so it became." Accordingly there can be no question that in 1:20 we must, following the Septuagint, supply *כִּן יִרְדֵּי*, omitted in the Masoretic Text,⁴ and

¹ Of the other commentators, Ilgen (*Die Urkunde des jerusalemischen Tempelarchivs*) has gone farthest in analysis and emendation of the text of the creation story (cf. Wellhausen, *Composition des Hexateuchs*¹, pp. 184 f.). But his conclusions, based almost entirely upon LXX, deal mainly with questions of textual glosses and changes rather than with those of sources and versions.

² Gunkel (*Genesis*², p. 119) makes a passing allusion to Schwally's article, but seems not to have taken pains to understand it thoroughly and to evaluate it correctly. This is all the more regrettable, for, with Gunkel's characteristic methods of investigation the hint which Schwally's suggestive paper gave might well have led to valuable results.

³ This rendering, "Let light be, and light was," reproduces the obvious thought of the original much better than the customary rendering in English, "Let there be light, and there was light."

⁴ So also Gunkel and others.

that, likewise with the Septuagint, כֵּן יִרְדֵּי in the Masoretic Text at the close of 1:7 should actually come at the close of 1:6,¹ and also that כֵּן יִרְדֵּי of 1:30 in the Masoretic Text is not in its original position or context.²

But since this is the obvious, indisputable meaning of כֵּן יִרְדֵּי, it follows that all the passages which state, usually in considerable detail and with characteristic verbosity, that God made the various objects of creation, and generally follow immediately after כֵּן יִרְדֵּי, cannot be regarded as amplificatory of כֵּן יִרְדֵּי (to be translated "so God made" rather than "and God made"), but must be altogether tautological and contradictory. Either they emanate from some originally independent version of the creation story, as Schwally contends, or they are the product of a far-reaching, systematic revision and amplification of the original, simple creation story, based not upon an independent and in many details divergent version, but upon pure theological speculation.

From this it becomes clear that כֵּן יִרְדֵּי of Gen. 1:7b is not really out of place, as most biblical scholars maintain, and should therefore be transposed to follow immediately after 1:6 and to precede 1:7a, but that the whole of 1:7a is an interpolation of these late theological editors, unskillfully inserted, at least in the Masoretic Text, in the wrong place, before the original כֵּן יִרְדֵּי instead of after it as usual, as for instance in 1:15 ff. and 1:24 ff. It follows, likewise, that in the original version of the creation story כֵּן יִרְדֵּי stood after 1:20, and was ultimately suppressed, at least in the Masoretic Text, by the redactors who inserted 1:21. In these two cases at least the Septuagint is closer to the original than the Masoretic Text.

Schwally unfortunately pursued this line of reasoning no farther than this, or he might have arrived at conclusions even more significant and positive. Instead he diverged here, and finally arrived at the unfounded and rather grotesque hypothesis of the existence in ancient Israel of a tradition that man had been originally created by God with a bisexual nature.³

Careful consideration of the facts thus far established leads to a conclusion of far-reaching significance. In the first place, it must

Cf. below, this page; likewise most of the commentators. ¹Cf. below, p. 189.

² For a refutation of this hypothesis cf. Gunkel, *Genesis*², p. 113; Skinner, *Genesis*, p. 33, and below, p. 189.

be inferred that all those passages which speak of God making any of his creatures, whether designated by the verbs *עָשָׂה* or *בָּרָא*,¹ cannot have been originally parts of the version which told that God brought these things into being by his word alone, and which must have closed in each case with *וַיְהִי כֵן* or some similar expression, as *וַיְהִי אֵר*. This fact immediately excludes from what we may call the "divine-fiat" version, Gen. 1:7a, 12a, 16-18a, 21abα, 25a, while, as Schwally has correctly observed, 1:26-30, recounting the creation of man, contain so much material that is obviously from what we may tentatively call the "making" version, that it is almost impossible to tell how the "divine-fiat" version of the creation of man may have read.²

But more than this; 2:1 forms the obvious, natural, and logical conclusion of the actual creation story, particularly in the "divine-fiat" version.³ Gen. 2:2 and 3 tell of the institution of the Sabbath. In addition to the oft-discussed difficulty of the syntactical connection of *וַיְהִי* at the beginning of 2:2 with what precedes, and of the use of *וַיְהִי* in 2:2a instead of *וַיַּעַשׂ*, as might be expected,⁴ one fact stands out so glaringly apparent that it is almost inexplicable that it was not perceived by scholars long before this. Gen. 2:2 and 3 state, with most punctilious and significant repetition and exactness, that God completed (or had completed) on the seventh day his work (*מְלָאכְתּוֹ*); always used of physical activities or material undertakings which he had made (*עָשָׂה*), and so on the seventh day he ceased (or rested) from all his work (*מְלָאכְתּוֹ*) which he had made (*עָשָׂה*); therefore God blessed the seventh day and declared it a holy institution, because on it he had ceased (or rested) from all his work (*מְלָאכְתּוֹ*) which God had created (*בָּרָא*) by (?) making (*לַעֲשׂוֹת*).⁵

¹ For *בָּרָא* cf. below, pp. 201 f.

² Cf. also the use of the term "made" in Jubilees, chap. 2.

³ So already Ilgen.

⁴ So LXX; cf. also Wellhausen, *Composition des Hexateuchs*, pp. 185 f.

⁵ An attractive conjecture, made by a friend and former pupil, Rabbi Abba H. Silver, of Cleveland, Ohio, accounts very plausibly for the difficult *וַיְהִי לַעֲשׂוֹת* at the end of 2:3. Certainly *וַיְהִי לַעֲשׂוֹת* here is awkward and redundant, while *וַיְהִי לַעֲשׂוֹת* is syntactically objectionable, if not impossible. No intelligent person would think, much less write, in any language in this manner. The sentence is obviously finished with the verb *בָּרָא*. Rabbi Silver calls attention to the fact that *וַיְהִי לַעֲשׂוֹת* is used again in 2:4, and is followed immediately by *וַיְהִי אֱלֹהִים*. This is the first time this peculiar and very uncommon combination of these two names of the deity is used in the Bible, and this fact may well have seemed to some ancient student to demand explanation. Unless he knew that

Leaving out of consideration, for the present, the question of the possibility of glossation and redactorial emendation in these verses, one fact forces itself upon our notice. The Sabbath is instituted because upon it God ceased from his work of creation. The Sabbath is instituted as a day of physical rest and abstention from physical labor by man, because on it God ceased, and therefore rested, from his physical labors in making the universe. This idea is expressed even more concretely and crassly in the priestly addition to the so-called fourth commandment (Exod. 20:11), which states that God rested in the physical sense (נָח), and in the priestly addition to the Holiness-Code-Sabbath injunction in Exod. 31:17b, which says that in six days God made (עָשָׂה) heaven and earth, and on the seventh day he rested (שָׁבַח) and refreshed himself (וַיִּנָּפֶשׂ). In other words, a tradition current in certain sections or at a certain period of the priestly school told that God had labored physically to make the world, that this physical labor had endured for six days, that thereby God had wearied, or even exhausted, himself, and so on the seventh day he desisted from his labor,¹ and rested and refreshed himself. Therefore, because man, too, would have to labor, and, created presumably in God's own image and likeness, would also become weary and exhausted, and would need rest and bodily refreshment, God instituted the Sabbath, so that on it man, too, might rest even as he, God, rested.²

From all this, however, it follows necessarily that the whole Sabbath idea, based upon the thought of God's physical labor, exhaustion, and need of bodily rest and reinvigoration, is altogether out of harmony with, and contradictory to, the "divine-fiat" version of the creation story, which told that, absolutely without physical exertion and wearisome labor, God merely spoke his word and the thing commanded came into being. In other words, the whole

יְהוָה אֱלֹהִים was a compound term, he might construe יְהוָה alone as standing in the construct relation with עֲשׂוֹת, and אֱלֹהִים as the object of עֲשׂוֹת. To guard against this possible misunderstanding, a marginal gloss was made, אֱלֹהִים לְעֲשׂוֹת, i.e., אֱלֹהִים, too, belongs to עֲשׂוֹת in the construct relation. For a time this stood in the margin, but eventually it crept into the text, and that in a strange position at the end of 2:3.

¹ Cf. the wording of 2:2b.

² The implication here seems to be that the Sabbath is instituted, not because God had rested once, immediately after creation, on that day, but because God still keeps the Sabbath and abstains from work on it.

Sabbath idea, and with it 2:2 and 3, cannot be a part of the "divine-fiat" version of the creation narrative, but must be an integral part of the "making" version, or, as it may now be called more appropriately and significantly, the "Sabbath" version. For the idea of the institution of the Sabbath already at creation obviously constitutes the fundamental theme and *raison d'être* of this version with its various interpolations noted above.¹

But even more than this; scholars have long recognized that the account of creation in eight successive acts, or rather, by eight divine commands, fits but poorly into the scheme of creation in six days. To achieve this end the stages of creation have been so distributed that on the third and sixth days each there are two creative processes instead of only one, as on the remaining four days. This arrangement is manifestly artificial. Therefore scholars have agreed quite generally that the limitation of the creation to six days is a secondary element of the story, unknown to the original. This told only that the universe was created in eight or possibly nine,² stages, each marked by a separate divine command. The later modification of the original story by the insertion of the six-day motif was merely to prepare the way for the institution of the Sabbath upon the seventh day.

From this alone scholars might have inferred, had they been so inclined, that the Sabbath element is secondary in the creation story. But somehow they seem never to have drawn this conclusion. Our investigation thus far has established this fact beyond all possibility of doubt; and not this alone, but also, if the Sabbath motif be not

¹ This settles the oft-disputed question of the syntactical construction of וַיְבָרֶךְ in 2:2. Inasmuch as it introduces the secondary sentence, which, in relation to the system of numbering the days of creation (cf. below, p. 176), seeks to account for the institution of the Sabbath upon the seventh day, and is unquestionably not a part of the main narrative, no construction is possible other than to regard it as a pluperfect, and translate, "Now God had completed on (or better, 'by') the seventh day," etc.

Unquestionably the original "divine-fiat" version used the impersonal passive וַיֵּבְרָא in 2:1 purposely, to carry out its central idea that the various things created came into being automatically through the divine word alone, without any physical intervention or constructive activity on the part of the deity. On the other hand, the active וַיְבָרֶךְ of 2:2 implies just that very positive, physical, creative activity on the part of the deity which is characteristic of the "Sabbath" version.

Attention may likewise be called in passing to the fact that וַיְבָרֶךְ in 2:3 is used in a sense almost synonymous with וַיִּקְדָּשׁ, and quite different from the meaning of וַיְבָרֶךְ in 1:22 and 28 (cf. below, p. 188).

² The creation of fish and birds on the fifth day (1:20-23) was probably also originally recounted as two separate creative acts; cf. below, p. 186.

an integral part of the original creation story, and if the arrangement of the processes of creation into the scheme of a six-day period be merely preparatory to the Sabbath law, it follows that the six-day scheme is likewise secondary, and that, therefore, all those passages which refer to the six days must be secondary. Consequently we must exclude from the original narrative 1:5b, 8b, 13, 19, 23, and 31b.¹

¹ This conclusion relieves one difficulty in the interpretation of Genesis, chap. 1 which has always troubled biblical scholars. They have repeatedly called attention to the fact that, just as 1:2a states explicitly, so the fact that light is said to have been created first would imply that previously there had been only darkness. Existence, therefore, began with the emanation of light out of darkness. It would, accordingly, have been natural and logical to regard the day as beginning with morning, and to have reckoned the day from sunrise to sunrise, instead of from sunset to sunset, as is obviously implied in the oft-repeated formula, "And it was evening, and it was morning, . . . day," and as was the practice in later Judaism.

In earlier Jewish practice, however, as late as the time of the secondary strata of the Priestly Code, it seems to have been customary to reckon the day from sunrise to sunrise, or, rather, from dawn to dawn. Thus the law for the "praise-offering" (Lev. 7:17 (Pt)) specifies that this sacrifice must be eaten on the day upon which it is offered, and that nothing may be left until morning. The repetition of the law in Lev. 22:30 (perhaps Holiness Code, but more likely either P2 or RP; cf. Baentsch and Bertholet) is even more explicit: "On that very day (when it was sacrificed) it shall be eaten; ye shall not leave anything of it until morning. Clearly the next morning is here reckoned as belonging to the next day, and not the same day as the preceding evening and night. In other words, the day is reckoned here from sunrise to sunrise.

Likewise in Exod. 16:19 f. (according to Bacon, Holzinger, and Kittel, JE; according to Baentsch, Carpenter, Cornill, Dillmann, Driver, and Kuenen, P; according to Wellhausen, partly JE and partly P) the manna was given to the people in the morning, just at dawn and before the sun had become warm (16:21). It was to be eaten only on the day upon which it was gathered; nothing was to remain over until the next morning; that which did so remain became foul. Here, too, the day seems to have been reckoned from dawn to dawn. This, too, seems to be the implication of Is. 21:12, where the morning is represented as preceding the night. (Cf., likewise, the very common expression, ירמם ולילה.)

Of even greater significance is the Passover legislation in the Bible. Lev. 23:5 f. states explicitly that the paschal lamb shall be sacrificed and the actual Passover celebration shall be held during the night of the 14th of the first month. But the celebration of the *Maqqoth* festival, as distinct from the Passover, begins only the next morning, and the 15th of the first month, and not the night of the 14th, is counted as the first day of the *Maqqoth* festival. This, too, is the explicit statement of Num. 28:16 f.

Similarly, the Passover legislation of Deut. 16:1-8 prescribes that the paschal lamb shall be sacrificed at the central sanctuary in the evening, and shall be eaten during that night; nothing may remain over until morning. In the morning the people shall return to their homes, there to celebrate the *Maqqoth* festival for seven days. Here, too, apparently, the celebration of the *Maqqoth* festival, as distinct from the Passover, and with it the reckoning of the seven days, seems to begin with the morning. (In this case ביום הראשון in Deut. 16:4b, and probably also בערב would be a gloss, or the conscious insertion of some late writer, who followed the later practice of reckoning the day from sunset to sunset, and so regarded the night of the Passover celebration as the beginning of the first day of the composite Passover-*Maqqoth* festival (so Bertholet, p. 51; also Steuernagel, pp. 59 f.). He was probably the same man as the late author of Exod. 12:18 or stood under his immediate influence (cf. below).

The Passover legislation in Exodus, chap. 12, provides that the paschal lamb, carefully selected on the 10th day of the first month, shall be slaughtered just at twilight בֵּין הערבים; cf. כבוא השמש of Deut. 16:6, and the difference of interpretation of

The question of the primary or secondary character of the recurrent expression, *וַיִּרְא אֱלֹהִים כִּי טוֹב*, is somewhat more difficult. It occurs in the Masoretic Text after every creative act except the creation of the heavens (1:4a, 10b, 12b, 18b, 21bγ, 25b, 31a [expanded form]). Its omission in 1:8 is surprising and inexplicable; and since LXX reads it there, the expression stood in all likelihood in 1:8 also in the original text. In 1:4 the expression seems out of place. Since the name of an object was regarded by the ancient Semites as an integral part of that object, and, therefore, the giving of the names to the created things was an essential, and the logical concluding step in their creation, it is surprising to find *וַיִּרְא אֱלֹהִים כִּי טוֹב* in 1:4a intervening between the creative steps of 3 and 4b-5.

this first expression of Rashi and Ibn Ezra) of the 14th, and eaten during the same night; nothing may remain over until morning. Likewise, all leaven shall be removed from the homes, and only *matzoth* shall be eaten during the ensuing seven days. This period extends from the evening of the 14th of the first month to the evening of the 21st (12:18). The eating of the *matzoth*, and with this, of course, the entire festival celebration, terminate at sunset of the 21st, i.e., at the moment which ushers in the 21st day of the month. Upon the first and seventh days of the festival, i.e., impliedly, upon the 14th and 20th of the month, respectively, there is to be a *miqra' qodeš* (for the exact meaning of this technical term, cf. a paper of mine, "Two Compound Technical Terms of Biblical Hebrew," to appear in the forthcoming *Memorial Volume in Honor of Alexander Kohut*) with its attendant interdict of work.

This legislation differs radically from that in the three passages already considered, in that it fixes the period for the eating of the *matzoth* from the evening of the 14th to the evening of the 21st, instead of from the morning of the 15th to the morning of the 22d. Clearly, to the authors of Exod. 12:18 the day was reckoned from sunset to sunset. But that this fixing of the period of eating the *matzoth*, and with it, the change in the system of reckoning the day, were innovations with these writers, may be inferred from the punctiliousness with which they state twice that the period in question begins in the evening and likewise ends at evening.

Practically all scholars are agreed that both Exod. 12:14-20 and Num. 28:16ff. are the work of secondary priestly writers. Baentsch goes even farther, and assigns Exod. 12:18-20 to Pse., i.e., to a priestly writer who wrote, apparently, even later than the author of Num. 28:16 f. In this Baentsch is unquestionably correct, as our previous discussion shows. But this points to the conclusion that this change in the system of reckoning the day from sunset to sunset instead of from dawn to dawn, took place at a comparatively late date in the period of priestly legislation and literary composition.

Corroborating this is the legislation for Yom Kippur in Lev. 23:26-32, likewise the work of secondary priestly writers. This provides that on the 10th day of the seventh month a solemn fast day shall be observed. Verse 32 expressly provides that the fasting shall begin on the 9th day of the month at evening, and continue from evening until evening, i.e., the evening of the 10th. It is clear that traces of a double system of reckoning the day are present here. The fast is celebrated only on the 10th of the month (vs. 26), and from evening to evening, i.e., the day begins here at sunset. This is the later system of reckoning, as we have seen above, just as, also, it is admitted by practically all biblical scholars, Yom Kippur is a late institution in the Jewish religious calendar, the product of the period after Ezra, and the work of late priestly legislators. But a trace of the older system of reckoning the day is to be seen in the statement that the moment when the fast begins, which, according to the later system, would be already a part of the 10th day, is here called the 9th at evening. Likewise the punctiliousness

In every other case **יִרְאָ אֱלֹהִים כִּי טוֹב** follows the incident of the giving of the name, just as we expect. Accordingly there can be little doubt that **יִרְאָ אֱלֹהִים כִּי טוֹב** in 4a has been inserted in the wrong place, and that this fact probably indicates the hand of a reviser.

Moreover, the language of 1:31, where **יִרְאָ אֱלֹהִים כִּי טוֹב** is coupled with the verb **עָשָׂה**, might indicate that the expression is rather a part of the "Sabbath" version of the creation story than of the "divine fiat" version.

This inference is corroborated by one very significant consideration. The thought of **יִרְאָ אֱלֹהִים כִּי טוֹב** implies the possibility that the things created by God might not have turned out good. Not

with which the priestly authors state that the fasting is to begin at the evening of the 9th and continue from evening to evening, parallels the similar statement in Exod. 12:18, and points to the same conclusion, that the priestly authors knew perfectly well that they were dealing with an innovation in thus reckoning the day from evening to evening, and therefore felt the need of expressing themselves so exactly. (Possibly a similar conclusion may be drawn from the statement of Esther 4:16, that the people are to fast for three days, night and day. Certainly the day is here reckoned from sunset.)

From Matt. 28:1 it may be inferred that the practice of reckoning the day from sunset to sunset was not universal in Israel, but in certain circles the older practice continued for several centuries. There it is explicitly stated that Mary Magdalene and the other Mary came to the tomb of Jesus late on the Sabbath day, just as it began to dawn toward the first day of the week. Inasmuch as these last moments of the night, just preceding the dawn, are called "late on the Sabbath day," and the first day of the week does not begin until dawn, it is manifest that the day is still reckoned here from dawn to dawn. This is also the implication of the parallel passage, Mark 16:1 f., "And when the Sabbath was past, Mary Magdalene and Mary, the mother of James, and Salome, bought spices, that they might come and anoint him. And very early on the first day of the week, they come to the tomb when the sun was risen." Luke 23:56b-24:1 seems to imply the same; "And on the Sabbath day they rested according to the commandment. But on the first day of the week, at early dawn, they came unto the tomb." (On the other hand, the parallel passage in John 20:1 seems to imply the later system of reckoning the day from sunset to sunset: "Now on the first day of the week cometh Mary Magdalene early, while it was yet dark." Here the hours of the night, before dawn, seem to be reckoned to the first day of the week, i.e., the day must have been counted from the preceding sunset.)

Finally, it is significant that in the second Temple, throughout its entire existence, the practice seems to have been in all ritual matters to reckon the day from dawn to dawn, and not according to the later practice, from sunset to sunset. The procedure of the Temple was conservative, and held fast to the older practice, even after the new system had come into vogue in profane life. At any rate, this seems to be the only possible meaning of the rabbinical dictum, **בִּקְדָּשִׁים לַיְלָה הוֹלֵךְ אַחֲרֵי הַיּוֹם** (*Hullin* 83a). According to Rashi, this principle is based upon the legislation for the praise-offering in Lev. 7:15. In other words, even the rabbis, who, themselves, reckoned the day from sunset to sunset, and refused to admit the legitimacy of any other practice, or rather, absolutely ignored all divergent practice, none the less had to admit the validity of the interpretation of Lev. 7:15, which we have given, and with it the fact that, at least in ritual matters, the day was at one time reckoned from sunrise to sunrise.

From this it is clear that at different periods in Israel's history two distinct systems of reckoning the day obtained. The earlier practice, which continued until the time of the secondary strata of the Priestly Code, was to reckon the day from dawn to dawn. This seems to be the idea underlying the motif of the "divine fiat" version of the creation

until after the thing is completely made and the name given to it is it examined by God critically and pronounced good. The procedure is comparable to that of a workman who surveys the finished product of his hands and tools and pronounces it either perfect or imperfect. It reminds particularly of the primitive Yahwistic creation story in Genesis, chapter 2, where God, working as a potter, makes the various animals, one after the other, to be the complete mates of man, but finds after each creative act that he has not achieved his purpose, in other words, that his work has not been good.¹ This idea of the possibility of failure, however, accords not at all with the conception of a deity so transcendental and spiritual that physical attributes may not be ascribed to him, and who creates, not by making and fashioning, but by merely uttering his divine fiat. Such a word must of necessity be conceived of as infallible, with no possibility of the slightest failure, error, or deviation from perfection, and with no need of critical appraisal at the end, before the thing thus created can be pronounced good. We may, therefore, infer with quite reasonable certainty that this entire *יָרָא אֱלֹהִים כִּי טוֹב* motif, and with it 1:4a (LXX, 8ba), 10b, 12b, 18b, 21bγ, 25b, and 31a,

story that light was the first thing created. The later practice was to reckon the day from sunset to sunset. This is the implication of the secondary "Sabbath" version of the creation story. By thus distinguishing between these two strata of the creation story, this difficulty is obviated.

It is impossible to tell exactly when this change in the mode of reckoning the day took place in Israel, and what causes brought it about. Possibly it may have had something to do with the introduction of the lunar calendar instead of the solar, for a lunar calendar naturally presupposes a reckoning of the day from nightfall to nightfall. Certainly this change was introduced later than the composition of Pt, Pg, and even some of the secondary portions of P. It was probably coincident with the revision of the festival calendar, which took place in the period after the time of Ezra, and was, in all probability, the work of the Soferim or of the Great Synod in the fourth century B.C. This may also be inferred from the statement in the Talmud (*Berachoth* 33a) that the men of the Great Synod instituted the ceremonies of Kiddush and Havdalah, the solemn sanctification of the Sabbath on Friday eve, and its equally solemn ushering out on Saturday eve, in other words, ceremonies specifically marking the beginning and close of the Sabbath as at sunset. These were ceremonies for the Jewish home instead of the Temple. This, coupled with the fact that in the second Temple the old system of reckoning the day from dawn to dawn continued to be observed, as we have seen, may perhaps indicate that this entire innovation was the work of an anti-priestly group or party in the Great Synod (cf. below, p. 209).

For many of these references and the suggestion of their implication I am indebted to the courtesy of my friend and colleague, Professor Jacob Z. Lauterbach, who kindly put at my disposal an unpublished paper of his dealing with the entire subject of the Jewish calendar.

¹ Cf. my "The Sources of the Paradise Story" in *Journal of Jewish Lore and Philosophy*, I (1919), 105-23 and 225-40.

belong, not to the "divine-fiat" version of the creation story, but to the "Sabbath" version.

Moreover, it is perfectly clear by this time that the "divine-fiat" version is the original form of the creation story, and that the "Sabbath" version is secondary. We have noted that occasionally insertions from the "Sabbath" version disturb the context and logical continuity of the main narrative, as, for example, **יִרְאָה אֱלֹהִים** **כִּי טֹרֵב** in 1:4a, and 7a preceding, instead of following, 7b. Furthermore all the **וַיַּעַשׂ** passages are unnecessarily repetitive of, and at the same time contradictory in fact, as they are invariably in spirit, of the thought expressed in the words **וַיֹּדֶי כֵן**. No other conclusion is possible, therefore, than that the "Sabbath" version is secondary to the original "divine-fiat" version.

In fact it may be doubted whether there ever was an actual independent "Sabbath" version of the creation story, as Schwally maintains, constituting originally a separate and complete version in itself. It seems rather that all the passages which we have thus far had reason to assign to this so-called "Sabbath" version bear all the earmarks of systematic amplifications, from a clearly defined theological standpoint, of the original, simple "divine-fiat" creation story. However, this question can be answered finally and with certainty only when we shall have completed our detailed analysis of the creation story. For the present we shall continue to use the term "Sabbath" version as a matter of convenience, to designate the secondary insertions into the original "divine-fiat" version of the creation story.

II

We have thus far had reason to assign to this secondary "Sabbath" version the following verses: 1:4a, 5b, 7a, 8b, 10b, 12, 13, 16-19, 21, 23, 25, 31; 2:2, 3. Moreover, it is apparent that in 1:26-30, the account of the creation of man, there is considerable secondary material, the exact extent and nature of which can be determined only by a more minute examination than we have thus far had opportunity to make.

On the other hand, the essential details and the general form of the original "divine-fiat" version are readily apparent. They are most definitely presented in 1:9-10a, where no secondary material

has crept in to disturb the continuity and obscure the characteristic thought. This original version was couched seemingly in a logical and recurrent formula, — וַיֹּאמֶר אֱלֹהִים יְהִי (or the appropriate verb), then וַיְהִי כֵן, and finally — וַיִּקְרָא אֱלֹהִים לְ—. Moreover, when first referring to something about to be called into existence, but which has not yet received its specific name, this original version used only some general descriptive term. But after it had told of the giving of the specific name, it used only that name thereafter and systematically refrained from using the first general, descriptive term, or any other name or title; thus the use of אֵרֶץ and יָם in 1:3 and 5, רָקִיעַ and שָׁמַיִם in 1:6, 8, and 9, and יַבְשָׁה and אֲרֶץ and מְקוֹה and יַמִּים in 1:9 and 10a.

Accordingly, we may unhesitatingly assign to this original version 1:3, 4b, 5a, 6, 7b, 8a, 9, 10a, 11 (in its original form), 14-15 (in their original form), 20 (in its original form), 24 (in its original form), the original account of the creation of man, now buried in 1:26-30, and 2:1. For the present 1:1, 2, 22, and 2:4 may be regarded as doubtful. Our main task from now on is to determine definitely whether these four verses are original or secondary, and also the original form of 1:11, 14-15, 20, 24, and 26-30.

Passing over for the present 1:1 and 2, and considering only those verses assigned above to the "divine-fiat" version in our endeavor to reconstruct the original text as far as possible, we note that in 1:9, for the מְקוֹם of the Masoretic Text, the Septuagint reads מְקוֹה. In the light of the מְקוֹה הַיָּם of 1:10 and the further LXX gloss at the end of 1:9, מִתַּחַת הַשָּׁמַיִם, where מְקוֹה is referred to again, and, finally, in the light of what we have noted above regarding the characteristic use of general, descriptive terms before the final giving of the specific name,¹ we may regard מְקוֹה as the more probable original reading.

Gen. 1:11a has manifestly been re-worked, and this to a far greater extent than is admitted by most biblical scholars, who

¹ That the above-mentioned addition of LXX at the end of 1:9 is a gloss, and not a part of the original text, lost in the Masoretic Text, is patent from the fact that it uses the plural, מְקוֹה אֶחָד, whereas the original used the singular, מְקוֹה, as well as from the redundancy in comparison with וַיְהִי כֵן at the end of 1:9 in the Masoretic Text, characteristic of the secondary "Sabbath" version and glosses.

would do no more than omit **פֶּרִי** after **עֵץ**, and also, following LXX, read **וְעֵץ**,¹ and also omit **לְמִינֵי**.² In their present form the words following **דֶּשֶׁא** appear like a gloss defining that seemingly comparatively uncommon word. But actually **דֶּשֶׁא**, while not used in the Bible nearly as frequently as either **עֵשֶׂב** or **עֵץ**, is by no means so uncommon that it requires such definition. Moreover, careful study of the verse makes one thing clear, viz., that **דֶּשֶׁא** is a general, descriptive term, used by the author in his characteristic manner to designate all plant life, and that **עֵשֶׂב** and **עֵץ** are the specific terms later employed by him (cf. 1:29) to designate the two classes or species into which he divided all vegetation, and bearing exactly the same relation to **דֶּשֶׁא** as **שָׂמִים** bears to **רִקִּיעַ** in 1:6 and 8a, or **אֶרֶץ** bears to **יְבִשְׁתָּה** in 1:9 and 10.

Furthermore, we miss what, we have seen, was a necessary and indispensable element of the original creation story, viz., the giving of the name or names. We shall have convincing proof later that the editors of the original creation story did not merely insert the "Sabbath" passages into the original text, but took even greater liberties of omission and alteration, and, in one particular case, in connection with the account of the creation of man, even deliberately removed from its original place to an altogether unnatural position in 5:2b β , and modified considerably in so doing, the account of God's giving the name **אָדָם** to man. Finally, it is to be noted that in the continuation of the narrative, the original author, in his characteristic manner, did not use the general, descriptive term **דֶּשֶׁא** again, but only the specific and technical **עֵשֶׂב** and **עֵץ**. Therefore we are justified in inferring that the original creation story told that God distinguished between the two obvious forms of vegetation, plants and trees, and the one he called **עֵשֶׂב** and the other **עֵץ**. Naturally we are in no position to determine the actual basis of this differentiation and classification, and the consequent exact reading of the original.

It is likewise doubtful whether the original text read **וְהָדֶשֶׁא**. The verb is exceedingly rare, found elsewhere in the Bible only in

¹ So Ball, Gunkel, and others:

² So Gunkel. **עַל־הָאָרֶץ** at the end of 1:11a is particularly difficult. It is impossible to construe the clause **וְהָדֶשֶׁא הָאָרֶץ . . . עַל הָאָרֶץ**, but it is equally impossible to regard the phrase as modifying **מְזִרִיעַ** and **עֵשֶׂה** or any other words in the clause.

Joel 2:22, where it is used in the *Qal*, a use that would be more natural here than the *Hiph'il*. While the original author used **רשע** as a general, descriptive term, the use of a verb from this same stem was in no wise necessitated thereby. Moreover, the interpolation of the "Sabbath" version in 1:12, naturally largely dependent upon the original wording, has **וַתִּרְצַח**, a reading difficult to explain, had the original read **וַתִּרְשַׁח**. And finally, 1:24, a part of the original creation story, reads **וַתִּרְצַח הָאָרֶץ** in the account of the creation of animals.¹ In the light of all this, and in view of the fact that the change or gradual corruption of **וַתִּרְצַח** to **וַתִּרְשַׁח** is simple and easily made, we may safely infer that the original reading was **וַתִּרְצַח**.² Accordingly we would reconstruct the original text of 1:11-13 as follows: **וַיֹּאמֶר אֱלֹהִים תִּרְצַח הָאָרֶץ רֶשַׁע וַיְהִי: וַיִּבְרָא אֱלֹהִים בֵּין הָרֶשָׁע ה— וּבֵין הָרֶשָׁע ה—: וַיִּקְרָא אֱלֹהִים לְרֶשָׁע ה— עֶשֶׂב וּלְרֶשָׁע ה— קָרָא עֵץ:**

The account of the creation of the heavenly bodies in 1:14-19 occasions even greater difficulties. We have already concluded for sufficient reasons that 1:16-19 are secondary. In addition to the facts already cited which point to this conclusion, we may call attention in passing to several corroborative facts. Gen. 1:17, which states that God put the heavenly bodies in the firmament of heaven, contradicts 1:14, which states that God commanded not only that they come into being, but also that they come into being immediately in their proper places in heaven. This would require no second act on the part of the deity after they were once made, of putting them into their appointed positions. In other words, the idea of an additional act and of the attendant physical exertion implied in **וַיִּתֵּן** is on a par with that of **וַיַּעַשׂ**, and is altogether contradictory of the underlying thought of the "divine-fiat" version.

Moreover, it is significant that 1:18 uses the terms **אֵר** and **חֹשֶׁךְ**, whereas 1:14 uses **יּוֹם** and **לַיְלָה**. Inasmuch as the original "divine-fiat" version, as we have already noted, first uses general,

¹ In other words, as Gunkel has pointed out (*Genesis*², p. 110), the author of the original "divine-fiat" version of the creation story, either consciously or unconsciously, embodied in his presentation something of the conception of the earth as the great mother and source of all life (cf. Dieterich, *Mutter Erde*), current among the Semites from the very earliest times. (Cf. Nöldeke, "Mutter Erde und Verwandtes bei den Semiten," *ARW*, VIII [1905], 161-87.)

² So also Ehrlich, *Randglossen zur hebräischen Bibel*, I, to the passage.

descriptive terms for the things created, but, after the specific names have been given to these objects, refers to them only by these specific, and never by the general, names, we cannot but regard the uncalled-for reversion to the general terms **אור** and **השך** in 1:18 as indicative of a late hand.

Even with these verses out of the way, however, 1:14 and 15 present considerable difficulties. Skinner has remarked that these are the only verses in the entire creation story in which the specific purpose of any of the things created is mentioned. This is not quite correct, for 1:6 states explicitly that the heaven was created in order to separate the waters above from those below, and 1:26 implies apparently that man was created in order to have dominion over the lower creatures. Therefore it is not the fact that the purpose of the creation of the heavenly bodies is mentioned that is significant, but rather the direct and bald manner in which this purpose is expressed through the use of the infinitive with **ל**. By analogy with 1:6 and 26 we would expect **מבדילים** (**והיו** or **ייהיו**) or **יבדילו**, rather than the present **להבדיל**. The use of the infinitive here is somewhat suspicious.

Moreover, it is noteworthy that, whereas 1:16-18 are unduly repetitious and enlarge upon the functions of the heavenly bodies in altogether superfluous manner, they make no further mention at all of the particular purpose stated in 1:14b, viz., to serve as portents and to mark days, years, and festival seasons. The probability is great that 1:14b is a very late insertion into the text, interpolated after the addition of 1:16-19 had been made. This is confirmed by the fact that Sam. and LXX have an even fuller text for 1:14 than the Masoretic Text. After **שמים** Sam. reads **להאיר על הארץ**, while in addition to this LXX reads **ולמשל ביום ובלילה**. The fact that both Sam. and LXX read **להאיר על הארץ** shows that this is no accidental nor individual emendation, but that it must have stood in the text of certain early manuscripts, from which those two versions were made.

Returning to 1:14aβ, a moment's consideration shows that the thought here expressed is altogether superfluous, and even contradictory of 1:4 and 5. There it was stated explicitly that God distinguished between light and darkness, and called the former day

and the latter night. In other words, the distinction between day and night was already sufficiently made, and there was no need nor occasion for further distinction. Nor could such distinction between day and night be conceived of in any way as the primary purpose of the existence of the sun and moon, as the present position of 1:14a β in relation to the other functions of the heavenly bodies, stated later, seems to imply. Nor would it be an altogether satisfactory means of making this distinction, for the ancients knew perfectly well that quite frequently the moon is visible even during the day.

Furthermore, the opening words of 1:15 are suspiciously tautological. The awkward and meaningless repetition of **למאור** has always seemed objectionable to scholars, and has, accordingly, been pronounced a gloss by Stade and Gunkel. But in addition to this, 1:14a α stated sufficiently that the heavenly bodies were to have their fixed place in the firmament, and the repetition of the thought here is weakening and suspicious.

In view of all this the conclusion forces itself upon one that 1:14a β b and 15a α are interpolations into the original text, of the same nature entirely as the additional glosses in Sam. and LXX.

Inasmuch as the text uses **רקיע** in 1:6 to designate in a general and descriptive way what is in 1:8 given the specific name **שמים**, the use of **רקיע** in 1:14 and again in 1:19 in connection with **שמים** is suspicious; and inasmuch as the same compound expression is used twice in the interpolated passages, 1:15a and 17, the insertion of **רקיע** in 1:14a and 19 is probably the work of this interpolator.

Likewise, in view of the fact stated above, that the use of the infinitive to express baldly the purpose for which the heavenly bodies were made is unnatural here, and therefore suspicious, the likelihood is great that the original text read simply **ויאיר** instead of **להאיר**. Certainly to give light must have seemed to the ancients the primary function of the heavenly bodies, and this is in fact implied by the position of **על-הארץ** in Sam. and LXX of 1:14 and also in the Masoretic Text of 1:17.¹ We may therefore conclude that the original account of the creation of the

¹ Cf. also Jubilees 2:8.

heavenly bodies read simply, **וַיֹּאמֶר אֱלֹהִים יְהִי מְאֹרֹת בַּשָּׁמַיִם**, **וַיֵּאָרְרוּ עַל-הָאָרֶץ וַיְהִי קֵץ**; **וַיִּקְרָא אֱלֹהִים לַמָּאֹר הַגָּדֹל שֶׁמֶשׁ וּלְמָאֹר הַקָּטָן קֶרֶב יָרֵחַ**. This was probably followed by the customary **וַיִּקְרָא אֱלֹהִים לַמָּאֹר הַגָּדֹל שֶׁמֶשׁ וּלְמָאֹר הַקָּטָן קֶרֶב יָרֵחַ**. Whether the original made any reference to the stars, as in 1:17, is problematical.¹

In the account of the creation on the fifth day we have already assigned 1:21 and 23 to the secondary "Sabbath" version of the creation story. Our primary concern, therefore, is with 1:20 and 22. Scholars have long held that the association of birds with marine creatures here is unnatural and suspicious and points to the conclusion that the original story told of their creation separately as two distinct stages of the creative process, and that their fusion is due to the desire to compress the various stages of creation into the six-day scheme. Consideration of 1:22 corroborates this conclusion. Gen. 1:22*ba* employs the imperative, 2d person plural, i.e., the marine creatures are addressed directly, . . . **פָּרֹ וְרִבֵּי וּמִלְאוּ** (cf. 1:28). The import of this "blessing" is clear. It is not a mere beneficent wish, but a creative process essential to the completion of creation. It bestows upon the creatures to which it is addressed the power of self-propagation; without it life would have had no perpetuity, and the purpose of creation would have been frustrated. Such being the case, it becomes immediately apparent that 1:22*bβ*, addressed to the birds in the 3d person, with only one verb employed, instead of the customary three, and that verb in the jussive instead of the imperative, betrays the hand of the redactor, probably the writer

¹ It might be argued that instead of solving the problem of the apparent contradiction between the creation of light as the first command of God, and the creation of the heavenly bodies now, in order to give light upon the earth, this reduction of 1:14-19 to their original form but makes the problem all the more acute. Actually, however, this is not the case. While more clearly perceived, it is true, the problem of this apparent contradiction is not one whit altered from what it was before. And the customary solution of biblical scholars is most probably correct, that the mention of light as the first thing created is due entirely to the mythological antecedents of the story. Certainly in post-exilic Israel two kinds of light were distinguished between, the light emanating from the sun, and another, unearthly, transcendental light, more intimately associated with the deity; cf. Dan. 2:22, and the flame which emanates from the *kebad* *Yahwe*, Exod. 25:17; 40:38; Lev. 9:24; 10:2; Num. 16:35; Ezekiel, chaps. 1 and 8. The latter, it would seem, was regarded as the light first created by God, while the former was the light of the heavenly bodies referred to in 1:14.

A moment's consideration will show that even the interpolation 1:16-19 is not a unit. 16*ba* is clearly a gloss; it anticipates unduly the thought sufficiently expressed in its proper place in 1:18*aa* and separates most awkwardly **וַיֵּאָרְרוּ** from its governing verb.

who introduced the Sabbath element into the story, with the consequent crowding of these two creative processes into one day. The original story must have recounted these two processes separately, with the blessing formula repeated in full in each case.

In 1:20 **נפש חיה** seems to be duplicative of **שרץ**. **שרץ** means only "creeping creatures." Therefore the combination **נפש חיה** is absolutely meaningless and impossible; **נפש חיה** must therefore be a gloss. Manifestly the author uses **שרץ** here in the same manner and for the same reason that he uses **עוף**, "winged creature," in preference to the more specific **דג** and **צפור**, as general, descriptive terms, in accordance with his customary procedure. This is implied also by the cognate verbs, **ישרצו** and **יטפפו**, "let the waters creep with creeping things, and let winged creatures fly." But this implies that the original narrative probably told in customary manner of the giving of the specific names, **דג** and **צפור**.¹ Just how the original text read, in which the creation of fish and birds was probably recounted as two separate, independent creative processes, it is, of course, now impossible to determine with absolute certainty.²

Scholars have likewise concluded that the two creative processes on the sixth day, viz., of animals and man, were originally recounted separately.

The original, simple account of the creation of animals is not difficult to determine. Gen. 1:25 belongs to the "Sabbath" version, as we have already determined, and is, therefore, secondary.³ Moreover, in 1:24 the mention of the specific classes of animals, **בהמה ורמש וחייתוֹ-אֶרֶץ**, is contrary to the regular procedure of

¹ For **צפור** as the specific name for birds, in contrast to **עוף**, cf. Deut. 14:11 ff.; but cf. Lev. 11:13 ff.

In all likelihood **על פני רקיע השמים** is a gloss explanatory of the seemingly rather vague **על הארץ**; this is indicated by the use of the compound **רקיע השמים** (cf. above, p. 185).

In 1:21 **את החתניים הגדלים** is obviously out of place. It is specific in its reference to a definite class of creatures, and logically should follow, and not precede, the more general and inclusive **נפש חיה הרמשה** and **עוף כנף**. It is probably a very late gloss inserted into the itself secondary verse, and was probably intended to account for the otherwise seemingly inexplicable existence of such creatures as the leviathan, the fish which swallowed Jonah, the fish of Tobit, and others.

² Cf. below, p. 204.

³ Cf. also the unexpected use of **הארמה** after **רמש**, instead of **הארץ**, otherwise constantly used in this chapter.

the original author, and is, moreover, duplicative of נֶפֶשׁ חַיָּה. In all likelihood, therefore, the original text read simply, וַיֹּאמֶר אֱלֹהִים, חֲבוּצָה הָאָרֶץ נֶפֶשׁ חַיָּה וַיְהִי כֵן: This was probably followed by the statement that God gave to each class of animals its specific name, בְּהֵמָה, חַיֵּי-חַדָּשִׁים, and רֶמֶשׂ. This, in turn, was probably followed, just as in 1:22 and 28, by the statement that God blessed the animals, and thereby endowed them with the power of self-propagation, וַיְבָרֶךְ אֹתָם אֱלֹהִים לֵאמֹר פְּרוּ וּרְבוּ וּמִלְאוּ אֶת-הָאָרֶץ.

It is noteworthy that here, too, the animals are not just called into being out of a pre-existent state, but that the earth brings them forth, precisely as in 1:11 f. it brings forth the plants, and in 1:20 the waters bring forth, or swarm with, marine creatures. This was probably due, on the one hand, to the observation that the carcasses of animals decompose, and apparently become earthy matter again, just as, supposedly, they must have been at first, and, on the other hand, to the common, primitive conception of the earth as the great mother and source of all life, already referred to.

The account of the creation of man in 1:26-30, it is readily apparent, has been so completely recast by the "Sabbath" redactors, that it is no longer possible to determine with certainty what the original account may have been. The use of נֶפֶשׁ חַיָּה in 1:26, and also the use of the specific term אָדָם,¹ rather than some more general, descriptive term, betray a secondary hand. In all likelihood the original version told, just as in 1:11 and 24, and parallel to 1:20, that God commanded the earth to bring forth the creature, which later received the specific name, man.

Moreover, it is extremely doubtful whether the original "divine-fiat" version told that man was created in the image and likeness of God. For the conception of a deity so transcendental and spiritual as is implied in the thought that he creates merely through the utterance of his divine word, precludes the possibility of ascribing to him body or form,² and with this, of course, the thought that man was created in the form of a formless God.

Furthermore the accounts of the creation of plants and of the various kinds of animals imply, what is actually expressed in the

¹ Cf. below, pp. 189 f.

² The explanation of Holzinger and Ehrlich, that man's likeness to God is not physical, but consists only in dominion over the lower creatures, has been adequately refuted by Gunkel in his discussion of this passage.

blessing in 1:22, that they possess, or immediately after creation are endowed with, the power of self-propagation, without any essential change in their former nature and sex distinction being necessitated. In other words, sex distinction, it is implied, existed from the very beginning. Therefore, sex distinction in man from the very moment of creation on, is equally to be expected; and even had this not been explicitly stated in 1:27, which may perhaps be secondary, it would have to be inferred both from the general account of creation and from the specific injunction to multiply in the blessing in 1:28. But the implication that, like the other animals, man was created from the first in both male and female forms, accords but ill with the other implication that man was created in the image of the deity, certainly conceived by the early priestly writers as one, i.e., not two, one of each sex, and unanthropomorphic, i.e., not having any human, or even physical, form at all. From all this only one conclusion can be drawn, viz., that the original "divine-fiat" version of the creation story could not have told that man was made in the image or likeness of God, and that this element must have come from the secondary "Sabbath" version of the story, as, in fact, the very language (1:26, נִעֲשֶׂה; 1:27, וַיִּבְרָא; cf. also 5:1, כִּי בִצְלָם אֱלֹהִים עָשָׂה אֹתוֹ, and 9:6 אֹתוֹ בְּצֶלְמֵנוּ עָשָׂה אֱלֹהִים) implies.

It is likewise to be noted that וַיִּדְּי כֵן at the end of 1:30 is clearly out of place. In its present position it seems to refer to the thought of 1:29 and 30 that God gives the vegetable world to man and the animals for food.¹ But in this connection it would be not only unnecessary, but also meaningless. Undoubtedly וַיִּדְּי כֵן here means exactly what it means in every other passage of the chapter, and implies, what we have already inferred, that the story in its original form told that man, precisely in the same manner as all other creatures, was called into existence by God's word alone. But in this case, just as in 1:20 and 22, we would expect וַיִּדְּי כֵן to have followed immediately after the statement, . . . וַיֹּאמֶר אֱלֹהִים, and to have preceded the blessing of 1:28a.

We would expect also that, just as in its account of the other creative processes, so here, too, the original "divine-fiat" version avoided at first the use of the specific term אָדָם, and used some

¹ So Ehrlich.

more general, descriptive term, and only after its **קַיִן** did it tell that God gave to this creature the generic name **אָדָם**. In the present version of the creation story this element is conspicuously absent. But in 5:2, a passage which is altogether reminiscent of the account of the creation of man in Genesis, chapter 1, and gives a brief synopsis thereof, we read, **וַיִּקְרָא אֶת שְׁמֵם אָדָם**. Manifestly this incident is out of place there.¹ In all likelihood it stood in the original "divine-fiat" version, probably in a somewhat fuller form,² and was transposed from there by the redactors. What general, descriptive term the original "divine-fiat" version may have employed to indicate this creature, before he received the specific name, it is, of course, impossible to determine.³

It is furthermore apparent that 1:28b repeats unnecessarily and even contradictorily the thought of 1:26b. For since 1:26b has already expressed the divine fiat that man is to have dominion over the lower creatures, this condition has thereby become an existent reality. Therefore, to express this thought again in 1:28b is superfluous and indicates not only that 1:28b is secondary, but also that its author did not fully comprehend the idea of the divine fiat. This is on a par with the fundamental thought and procedure of the "Sabbath" version, which finds it necessary to tell in each case, despite the divine fiat, that God made, etc.

Gen. 1:27 is obviously entirely secondary. One fact, however, is of particular interest. The seemingly inexplicable transition from the 3d singular **אִתּוֹ** to the 3d plural **אִתָּם** has been noticed by practically all commentators. Schwally changes **אִתָּם** to **אִתּוֹ**, and chiefly on the basis of this hypothetical twofold use of **אִתּוֹ** he bases his hypothesis that man was originally created bisexual, male and female in one. Gressmann⁴ proposes to change **אִתּוֹ** to **אִתָּם**, while

¹ It is self-evident that 5:2ab, containing the reference to the double sex of the first pair and to the blessing to be fruitful and multiply, is merely paving the way for the account of the birth of Seth and the subsequent generations. In this record **וַיִּקְרָא אֶת שְׁמֵם אָדָם בְּיוֹם הַבְּרָאָה** clearly disturbs the logical continuity, and is therefore secondary in this passage. It was probably suggested by the motif of the following genealogical table of naming each successive child. Actually, however, a repetition of the blessing, . . . **פֶּרֶר וְרִבִּי**, would have been a much more appropriate and logical continuation of the introduction to this table.

² Cf. Ehrlich, *op. cit.*, p. 3.

³ It could hardly have been **אִישׁ**, for this is almost, if not quite, as specific a term as **אָדָם**.

⁴ *ARW*, X (1907), 384, n. 2.

Gunkel holds to the present divergent readings, and regards 1:27 as a three-line fragment of an ancient creation poem.

It is to be noted that this same divergence between **אָדָם** and **אָהָדָם** exists in 5:1 and 2. It is significant that in only these two passages relating to the creation of man is the singular used. Elsewhere the plural alone is used; thus the verbs **וַיִּרְדּוּ** (26) and **פָּרוּ**, **רָבוּ**, **מָלְאוּ**, **כִּבְשָׁה**, and **רָדוּ** (28), and the pronouns **אַתֶּם** (28), **לָכֶם** (bis 29), **אַתֶּם** (5:2), and the suffixes of **שִׁמְשֵׁם** and **בְּהִירָאֵם** (5:2). Furthermore it is to be noted that with reference to fish the plural is likewise used (22). Manifestly **אָדָם** was used in the original "divine-fiat" version of the creation story as a generic term for man, referring to the species, just as does **דָּג**, **עֵץ**, (or **צִפּוֹר**), **בְּהֵמָה**, etc., and in no wise referred to the first man alone, as Schwally maintains. On the other hand, the repetition of **אָהָדָם** in 5:1, in exactly this same connection, and based clearly upon this passage, probably indicates that **אָהָדָם** is original, and not the result of corruption of **אָדָם**, as Gressmann thinks. This seeming difficulty can, however, be easily explained.

In addition to its use as a generic noun, denoting the species, mankind, **אָדָם** was also used as a proper noun, the actual name of the first man.¹ In all likelihood 1:27a β interpreted **אָדָם** or **הָאָדָם** in this sense, regardless of its use as a generic noun in 1:27a α and b. Gen. 1:27a β seemingly repeats in inverse form and altogether unnecessarily the thought of 1:27a α . Moreover, the use of **אֱלֹהִים** is rather awkward, in place of the noun with suffix. Obviously 1:27a β is not a part of the original form of the secondary verse 1:27.² This read simply and sufficiently, **וַיִּבְרָא אֱלֹהִים אֶת הָאָדָם, בְּצֶלְמֵוֹ זָכָר וּנְקֵבָה בָּרָא אֹתָם**.

In all likelihood **אֱלֹהִים** in 1:27a β is used, not in the sense of "deity," but in the late sense of "angels," as in Ps. 8:6. Gen. 1:27a β is therefore most probably a late, theological, marginal gloss, which eventually crept into the text, and which sought to obviate the objectionable anthropomorphism of the thought that man was created in the image of God himself, and also to interpret in a manner supposedly consonant with monotheistic doctrines, the

¹ Cf. 3:17 (unless we vocalize **אָדָם**); 4:1 (**הָאָדָם**) and 25, and 5:3 ff.

² So also Ehrlich, *op. cit.*

plurals נִשְׁדָּה and בְּצִלְמֵנו in 1:26, by implying, what was actually held by later Judaism, that before creating man as the lord of the universe, God took counsel with his angels, just as in I Kings 22:19 ff., or Job 2:1 ff.¹

In all likelihood, also, כְּדִמּוּתוֹ in 1:26, clearly explanatory of or qualifying בְּצִלְמֵנו, is a gloss of similar nature and purpose. It, too, reduces somewhat the otherwise bald anthropomorphism of בְּצִלְמֵנו, by implying that man was created, not so much in the actual, literal, physical image of the deity, or even of the angels, but only in "something like" the image.²

In 1:28 the second אֱלֹהִים is unmistakably a gloss.³

Gen. 1:29 and 30a likewise present many difficulties. In the first place it is to be noted that in the present Masoretic Text of 30 אֶת-כָּל-יֶרֶק עֵשֶׂב is absolutely without a governing word. The Septuagint seeks to help itself by inserting ἡ before אֶת, but to no purpose. Most modern commentators have thought to solve the difficulty by inserting a second נָחַד before אֶת.⁴ Working, as they did, from the premise that the text of the creation story was practically a literary unit, and that any secondary matter was of small extent and little moment, some such procedure was necessary for them. But a moment's consideration must show that instead of removing the difficulty, the insertion of נָחַד but heightens it, and even gives rise to serious contradictions.

Inserting נָחַד before עֵשֶׂב אֶת-כָּל-יֶרֶק, Gunkel interprets the ἡ of וְכָל at the beginning of 1:30 distributively. To man God gave all seed-bearing plants, i.e., grain, and all fruit trees, but to the animals God gave only the green herbs. In the first place it is questionable whether עֵשֶׂב זֶרַע זֶרַע means grain specifically, in contrast to עֵשֶׂב יֶרֶק, meaning specifically green herbs or vegetables. Certainly in 1:11 and 12 עֵשֶׂב מִזֵּרְעֵי זֶרַע connotes all plant life, as contrasted with trees and their produce, and includes

¹ Cf. also Jubilees 2:2 and 18 f.

² Cf. the use of כְּדִמּוּת, Dan. 10:16, and its synonym, כְּמִדָּה, Num. 9:15; Ezek. 1:26; Dan. 8:15, 10:18, and, in general, the use of כְּ in the vague sense of "something like," Ezek. 1:27, 10:1; Dan. 7:13.

³ So Gunkel.

⁴ So Dillmann, Holzinger, Gunkel, and Skinner.

grain and vegetables and all herbs.¹ In the second place, the ancients must have been perfectly aware that men ate not only grain but also vegetables and herbs, and that animals ate not only the latter but also grain and fruit. And while it is true that in the original mythological picture of the Golden Age, which, as Gunkel maintains, lies at the bottom of this passage and its corollary in 9:1-7, the idea obtained that at first, and again at the end, men and animals were to live in perfect peace and harmony, and not to prey upon and kill each other, even for food, there is not the slightest reason for surmising that the vegetable world was divided between them in the manner set forth by Gunkel in his interpretation of this passage. And, finally, this attempted solution of this difficulty is immediately disproved by 9:3, which states explicitly that **יֵרֶק עֵשֶׂב** had been previously given for food not only to animals but also to man. On this rock the entire second **גִּזְרֵי**-hypothesis and Gunkel's interpretation shatter completely. The problem must be solved in a different way.

Understanding from 9:3 that **יֵרֶק עֵשֶׂב** was originally given as food by God to man as well as to animals, it is clear that 1:30a β seemingly repeats unnecessarily what has been already stated with considerable emphasis and verbiage in 1:29. **יֵרֶק עֵשֶׂב** here and in 9:3 is clearly an all-inclusive term, embracing not only all plants but also the fruit of trees. Inasmuch as we have already had reason to regard a considerable portion of the present text of the creation story as secondary, and to posit further that just such unnecessary repetitions, of which we have seen there are many, evidence the hand of the redactor, we may well draw the same conclusion here. And since 9:3 expressly mentions **יֵרֶק עֵשֶׂב**, with unmistakable reference to this passage, we may infer that **יֵרֶק עֵשֶׂב** is the original, and that, therefore, 1:29a β is secondary, an amplification made in the same pedantic, classifying spirit as the secondary portions of 1:11 and 12, and probably by the same hand.

¹ **עֵץ** and **פֶּרִי הָאֲדָמָה** would correspond to the **עֵשֶׂב מִזֵּרִיעַ** or **זֵרַע** of the ancient Jewish benediction. The only other additional classification of the vegetable world in the Jewish ritual is the **פֶּרִי הַגֶּפֶן**. But this by no means corresponds to the distinction which Gunkel would draw between **עֵשֶׂב זֵרַע** and **יֵרֶק עֵשֶׂב**.

Furthermore, **נפש חיה אשר בר** in 1:30, as it stands now, can refer only to **רומש**; if it were intended to refer to all the classes of animals mentioned here, we would expect the repetition of **לכל** before **אשר**. The words are, therefore, either a gloss, or, what seems on the whole more probable, are original, and all that precedes them in 1:30, with the exception of the first word, **ולכל**, is an amplificatory gloss of a classificatory nature, similar to 1:29a β b. The original text of 1:29-30a, accordingly, probably read simply, and much more effectively than the present clumsy and burdensome reading, **ויאמר אלהים יהיה נחתי לכם וכלל-אשר-בר נפש חיה את-כל-ירקני עשב לאכלה**.

But Kraetzschmar² has raised the very pertinent question, whether 1:29 and 30a, even in this primary, simple form, can have been a part of the original creation story. He maintains that the thought of these verses contradicts that of 1:26b. For dominion over the animal kingdom implies not only the use of domestic animals as aids in agricultural activity, but also the use of at least their milk products, if not their flesh, for food, and also of suitable wild animals, fish, and even creeping things.³ But this implication contradicts and excludes the thought of 1:29-30a. Unquestionably Kraetzschmar is correct, and 1:29-30a, even in its original, simple form, cannot have been a part of the original "divine-fiat" version of the creation story.⁴

¹ Not impossibly **ירק** is an insertion here, and the original read simply **את-כל-עשב** as in 1:29; but cf. 9:3 (also a gloss; cf. below, p. 212).

² *Die Bundesvorstellung im Alten Testament*, pp. 193 f. ³ Cf. Lev. 11:21 f.

⁴ This consideration is probably confirmed by the fact noted above, that **ירדני כן** in 1:30b is clearly out of place, and must have come originally after the account of the calling of man into existence by God's word, in the original of 1:26 and before the blessing in 1:28. Understanding that 1:29-30 are interpolations into the original text, the dislocation of **ירדני כן** from its original position is by no means so great and inexplicable as it seems at first glance.

Gunkel has admitted the incongruity of the thought of 1:29-30a with that of 1:26b. Nevertheless he maintains the literary unity of the present text, and accounts for the incongruity by the assumption that two originally independent and both very ancient myths, one dealing with creation and the other with the Golden Age, gradually fused, and this fused form became the basis for the present creation story. Were it not for the comparatively large mass of secondary material in the present text of the creation story, Gunkel's hypothesis might have been satisfactory. But as it is, it seems much more probable that 1:29-30a is not the result of an independent myth of the Golden Age fused with the creation story in its pre-literary form, but is rather an altogether secondary element in the literary form of the narrative.

It is also questionable to what extent the entire tradition of a primeval Golden Age is of ancient mythological origin, as Gunkel maintains. Certainly it does not go back to the desert, pastoral stage of Israel's cultural existence, for then it would have

There remains to be subjected to this detailed analysis only 1:1, 2 and 2:4. In the light of the presence of a considerable mass of secondary material in the creation story, which we have established, we need not hesitate for one moment to regard 1:2 in its entirety as secondary. Not only does it disturb the continuity of the narrative but, as has been most clearly pointed out by Gunkel, it contains material from three different and altogether independent, and probably mythological, sources. In 1:2_{aa} the reference to *תָּדָר* *לְבָדָהּ* is so vague, and the antecedents of this strange expression are so completely unknown, or at least insecure, that nothing can be affirmed of it with certainty. It can hardly have been a part of the original creation story. Possibly some mythological concept, perhaps Phoenician in origin, lies at the bottom of the expression.

spoken of milk products and the flesh of wild animals as food, rather than of vegetable products. The tradition clearly sprang up in an agricultural environment. But all the biblical references to this supposedly primeval Golden Age, cited by Gunkel, are speculative and theological in character, rather than mythological, and are all, moreover, the literary products of the post-exilic period (despite Gunkel's earnest attempt to assert pre-exilic dates for some of these biblical passages, pp. 122 ff.). They all proceed from the premise that bloodshed in the abstract is a great, probably the supreme, sin, and the cause of all the misery, calamity, and divine punishment upon earth; and this means the slaying not only of man by man but also of man by animals, and even of animals by other animals for food alone. Certainly this is a concept altogether foreign to the life and habit of thought of early man, even in an agricultural environment. It is much rather the product of speculative reasoning carried to the utmost logical extreme, such as is characteristic of the most rigid, ascetic, and mystic theologians. Moreover, in all the biblical references to the Golden Age we find no indications at all of mythological personages or heroic deeds; and without these there is no mythology. For these reasons we are compelled to reject Gunkel's entire hypothesis of an ancient myth of a primeval Golden Age current in Israel, and to regard the tradition thereof as entirely the product of late, post-exilic theological speculation.

All this carries with it the further implication that 9:1-7 is likewise a secondary passage in the Priestly Code. Here, too, we have an unmistakable reference to the Golden Age tradition. Moreover, it is unnecessarily and suspiciously duplicative of the creation story. Thus 1:28 told that the power of self-propagation had been conferred upon man; but 9:1 repeats this, not as a mere renewal of the blessing of 1:28, which would have been quite unnecessary, but as something entirely new. Furthermore, 9:2 seems to misinterpret, or at least reinterpret, the thought of 1:26b, that man is to have dominion over the animals, as meaning only that the animals shall fear man. Furthermore, as has been already noted, 9:6b refers to the secondary tradition of man's being created in the image of God, in language that points unmistakably to the secondary "Sabbath" version. Finally, the blessing here alongside of the account of the covenant in 9:8-17, likewise from the Priestly Code, seems tautological and superfluous. Inasmuch as the covenant motif in 9:8-17 is the indispensable conclusion of 6:18, these verses must be an integral part of the original priestly version of the flood story. Accordingly it is to be inferred from this also that 9:1-7 are secondary in the Priestly Code.

Manifestly they were introduced to establish a supposedly authoritative basis for the important ritual institution of the prohibition of eating the blood, as well as for the ethical prohibition of human bloodshed. And just as the entire ritualistic Sabbath motif in the creation story is secondary, so here the ritualistic prohibition of bloodshedding and blood-eating is likewise secondary.

Certainly the Phoenician cosmogonic myth of the origin of the world from a great egg lies at the bottom of 1:2b. The *רוח אלודים* is here conceived as a gigantic female bird, which hovers or broods upon the surface of the waters, and from which the universe egg is ultimately hatched.¹ With this conception of the divine spirit in the form of a bird may be compared the undoubtedly related picture of the divine spirit descending upon Jesus in the form of a dove.² Obviously these two vague, and presumably mythological, references bear absolutely no relation to the main creation narrative, either in the original "divine-flat" version or in its present expanded form.

¹ Cf. Gunkel, *Genesis*, p. 125; Skinner, *Genesis*, pp. 48 ff.

² Matt. 3:16; Mark 1:10; Luke 3:22. Parallel, and undoubtedly dependent upon this, is the tradition recorded by Eusebius (*Hist. Eccles.* vi. 29, transl. Boyle, p. 249), that at the ordination of Fabianus as bishop of Rome, "a dove, suddenly flying down from on high, sat upon his head, exhibiting a scene like that of the Holy Spirit once descending upon our Saviour in the form of a dove. Upon this the whole body exclaimed with all eagerness and with one voice, as if moved by the one spirit of God, that he was worthy; and without delay they took him and placed him upon the episcopal throne." With this may be compared the tradition which obtained in Jerusalem as late as the end of the seventeenth century, that at the ceremony of the descent of the holy fire in the Church of the Sepulchre on the afternoon preceding Easter Sunday, the Holy Spirit in the form of a pigeon was actually thought to come down from heaven to a place in the church just above the holy sepulchre, and immediately thereafter the holy fire would appear from out the sepulchre. (Maundrell, "A Journey from Aleppo to Jerusalem at Easter, 1697," ed. Wright, *Early Travels in Palestine*, p. 463.)

According to Talmudic tradition, which may, perhaps, have a slight basis of historic truth, the Samaritans had an image resembling a cock-pigeon, which they worshiped (*Hullin* 6a; *Jer. 'Aboda Zara* V, 44d, bottom). Among the Syrians and other ancient Semites the dove was considered sacred, and was, therefore, as a rule, not eaten, (cf. the numerous references to classical literature in Chwolson, *Die Ssabier und der Ssabismus*, II, 107 f., n. 74), and at Hierapolis was not even touched for fear of sacred pollution. (Lucian *De Dea Syria* 54.) Moreover, according to the common Syrian tradition, Semiramis had been transformed into a dove; and at Hierapolis there stood a peculiar golden image with a dove upon its head, which some therefore identified with Semiramis. (Lucian, *op. cit.*, 33.) And in Mecca still today the dove or pigeon is regarded as sacred, and therefore not to be killed or eaten. Of the doves of Mecca di Varthema says (*Travels of Ludovico di Varthema 1503-1508*, pub. by Hakluyt Society, ed. Badger, 45 f.): "We found in the street of the said city fifteen thousand or twenty thousand doves, which, they say, are of the stock of that dove which spoke to Mahomet in the form of the Holy Spirit, which doves fly about in the whole district at their pleasure. . . . They are not at liberty to kill them or catch them." And a modern traveler (Wm. Ellery Curtis, *Today in Syria and Palestine*, p. 148) tells us: "Pigeons are almost as numerous (as sparrows), but are never killed. They are sacred in all Mohammedan countries. Some people say that the Mohammedans are afraid of exterminating the Holy Spirit, which inhabits the dove; others, that they remember the dove which brought the olive branch back to the ark." This evidence shows the important rôle which the dove has played in the mythology of at least the western Semites from the earliest times to the present day, and particularly the frequency with which the Holy Spirit has been thought to manifest itself in the form of a dove. Undoubtedly a mythological concept, closely related to this, lies at the bottom of Gen. 1:2b.

Gen. 1:2a β with its reference to תהוֹם probably shows a closer relationship to the presumably mythological original of the creation story. But it is significant that, with the exception of this one passage, the biblical creation story avoids the term תהוֹם, whereas in 1:6, and again in the secondary 1:7, it might have used this term very conveniently and appositely, had it so wished. The avoidance of the term was probably intentional, the result of the characteristic desire of the priestly authors and redactors to reduce the mythological elements in their narrative to a minimum. That the term תהוֹם was current in Israel from a much earlier date is apparent from such early passages as Gen. 49:25, Deut. 33:13, and Amos 7:4. Unquestionably, too, the word is derived from the Babylonian *Tiāmat*. And its early use in Hebrew attests early Israelite acquaintance with the Babylonian *Enuma Eliš* epic, or at least with the Babylonian creation myth in some form or other. Undoubtedly, therefore, the priestly authors of the creation story purposely avoided the use of the word תהוֹם in their narrative, just as they avoided any explicit reference to the combat of the deity with and triumph over *Tiāmat*-תהוֹם, to which references abound in other less anti-mythological portions of the Bible.¹ Manifestly, therefore, 1:2a β , although mythologically related to the main narrative, is, from the standpoint of literary composition, not a part of the original version. Accordingly the whole of 1:2 must be an interpolation, probably inserted by some writer or writers who felt that the original authors had missed something that seemed essential, viz., a descriptive allusion to the condition of chaos that preceded creation. Whether 1:2aa, 2a β , and 2b, originally unrelated so far as mythological origin and content are concerned, were interpolated by one or more hands, cannot, of course, be determined.

Gen. 2:4 has been frequently discussed by biblical scholars, and various solutions of the problems it presents have been suggested. All the biblical material intervening between 2:4 and 5:1 belongs to the J document. Assuming that 2:4, or at least 2:4a, was an integral part of the Priestly Code, it would seem to have stood originally next to 5:1, with which it must have collided. It is difficult to think that these two verses could have ever been in such

¹ Cf. Gunkel, *Schöpfung und Chaos in Urzeit und Endzeit*, pp. 29-114, and *Genesis*, p. 127.

immediate juxtaposition. Partly for this reason, and partly because he observed that with this one seeming exception all the *חולדה* passages in P introduce a genealogical table, instead of concluding it, and partly also because it is self-apparent that 1:1 opens rather abruptly, Ilgen proposed to transpose 2:4a to precede 1:1, and to regard it as the original introduction to the creation story, which, for some reason or other, had been removed from its original position to its present place at the close, probably as a kind of summary of the creation story. In this Ilgen has been followed, rather hesitatingly, however, by a number of later scholars.

Ilgen's premises are unquestionably correct; but it does not follow that his solution must be equally correct, or is the only possible solution to be offered. Actually this solution shatters on two great obstacles, as Holzinger and, after him, more fully and convincingly, Skinner have shown. In the first place it is significant that in 2:4a *חולדה* is used in a sense altogether different from its meaning in every other passage of the Bible. Everywhere else¹ *חולדה* means "genealogy" or "genealogical table." Here it can have this meaning only in the very remotest degree. Moreover, in absolutely every other case *חולדה* is in the construct state with a proper noun, designating the first progenitor of the human family referred to; thus in 5:1 the *חולדה אדם* are the descendants begotten in direct line from Adam. But in 2:4a *חולדה השמים והארץ* cannot mean "descendants of heaven and earth," nor even "the genealogical table of heaven and earth." In fact it is almost impossible to tell just what it does mean literally and exactly. Judging from the context it would seem to mean "the stages of being born or created," and this seems to be the implication of the peculiar *בהבראם*. But this is, it must be admitted, a strange, unattested, and improbable meaning for *חולדה*.

Moreover, it is difficult to imagine any sufficient reason for the transposition of the verse from its supposedly original position before 1:1 to its present awkward position, as Ilgen postulates. Such procedure would be absolutely inexplicable.

For these reasons Holzinger and Skinner have rejected Ilgen's hypothesis, and have suggested instead that 2:4a may be the work

¹ With three very doubtful exceptions, Gen. 6:9; 25:19; 37:2; cf. Skinner, *Genesis*, pp. 39 f.

of a redactor, who noticed that the Priestly Document was seemingly divided into certain logical sections by the oft-repeated formula, **אלה חולדת**, and, believing that creation itself marked a distinct epoch in the history of the universe, felt the need of some corresponding **אלה חולדת** colophon or summary here also. Probably he hesitated to place this at the very beginning, not only of the story, but also of the entire Priestly Code, and even of the entire Torah, and so he inserted it, very inaptly, at the end of the story. Such is the theory of Holzinger and Skinner, elaborated slightly. This hypothesis of the secondary character of 2:4a is rendered more probable by the fact of the presence of a considerable mass of secondary material in the creation story, as we have established, and also by the use of the word **ברא**.¹

But it is possible, and even imperative, to carry the hypothesis farther. Almost from the beginning of modern biblical science 2:4a and 2:4b have been separated, and the former has been assigned to what we now call the Priestly Code, and considered as the conclusion of the priestly account of creation in 1:1—2:3, while the latter has been assigned to what we now call the Yahwist Code, and regarded as the beginning of the J story of creation in the remainder of chapter 2. The grounds for this differentiation between 2:4a and 2:4b have been simple and seemingly convincing. The presence of the two words **חולדת** and **בהבראם**, both characteristic of P, and the apparent connection of this half-verse with the priestly account of creation in 1:1—2:3, have indicated its priestly authorship beyond all possibility of doubt. On the other hand the presence of the strange combination **יהוה אלודים** in 2:4b and throughout the J narrative in 2:5—3:24 was thought to indicate sufficiently the immediate connection of 2:4b with the following J account of creation, and its consequent J authorship.

But with the exception of this **יהוה אלודים**, everything in 2:4b points rather to priestly than to Yahwistic authorship. It mentions the making of heaven and earth, just as is told in the priestly story. But, contrary to this, the Yahwist story not only makes no mention at all of the creation of heaven and earth, but takes the eternal existence of these for granted; or, rather, it does not conceive

¹ Cf. below, pp. 201 f.

that heaven and earth did not at one time exist, and that, in consequence, it had to tell of their being created.¹

Moreover, we have seen that the term עשה is used constantly and characteristically in the secondary portions of the priestly creation story, just as it is used here. On the other hand, the Yahwist narrative designates the actual, fundamental, life-giving activities of the deity graphically by the word יצר (2:7, 8, 19), and uses עשה only once, in 3:21, to designate the altogether secondary act of God's, not creating, but rather inventing or putting together the first garments for the man and woman out of the skins of animals.² Furthermore, in 2:22, where it might well have used עשה, it uses instead בנה to designate the making over of the man's rib into the woman. Manifestly עשה is not a term characteristic of the authors of the Yahwist creation story.³

Moreover, Skinner has called attention to the fact that in Gen. 5:1 and Num. 3:1 אלה תולדה ביום, just as here. Here and in 5:1 יום is in the construct state with an infinitive, while in Num. 3:1 we have the perfect, יָבַד, instead of the expected infinitive, יִבַּד, as is so frequently the case with this particular verb.⁴ In other words, the expression (infinitive or clause) ביום אלה תולדה is found three times in the Pentateuch, twice in passages which belong unmistakably to P, and once, here in Gen. 2:4, in a passage, the first half of which certainly

¹ Cf. my article, "The Sources of the Paradise Story," *Journal of Jewish Lore and Philosophy*, I (1918), 105-23 and 225-40.

² *Op. cit.*, pp. 226 f., n. 19. Gen. 3:21 may itself be a secondary element in the paradise narrative. In such case, in view of its marked relationship to the Phoenician tradition that the first garments were made by Usoos out of the skins of animals (San-chuniathon, in Eusebius *Praepar. Evangel.* I. 10), we might infer that 3:21 is the work of the same glossator who inserted 1:26, likewise based upon a Phoenician tradition, as we have seen.

³ It is certain that עשה יהוה אלהים in 3:1 is a gloss (cf. "The Sources of the Paradise Story," *op. cit.*, p. 112, n. 8), probably by the same priestly redactor as 2:4. It is altogether unnecessary, and even disturbs the smooth continuity of the narrative slightly.

It may likewise be remarked in passing that the awkward נפש חיה in 2:19 is a meaningless gloss, probably by the same redactor. Possibly, too, ראד כל עוף השמים in 2:19 is a similar gloss; for the birds of heaven could hardly have been conceived of as potential helpmates for man, as were the domestic animals (*op. cit.*, pp. 110 f.). At the most only the domesticated fowl could be considered in this light, and, on the one hand, these were so few at that time that they were practically negligible for consideration in this light, and, on the other hand, would hardly be designated by the term עוף השמים.

⁴ Cf. Exod. 6:28; Deut. 4:15; Hos. 1:2; also Jer. 5:13; assuming, of course, that the correction to יָבַד is unnecessary.

belongs to P and the second half of which bears in content and direct relationship to the preceding priestly narrative, and in form shows, with one single and easily accounted for exception, viz., the use of **יְהוָה אֱלֹהִים**, all the earmarks of priestly authorship.

Accordingly, instead of regarding 2:4b as Yahwistic, as in the past, the entire verse must be regarded as priestly, the work of a redactor, in all likelihood RJEDP. In order to strengthen the appearance of unity between the priestly and Yahwist narratives, to establish which this verse was inserted, he used the compound name, **יְהוָה אֱלֹהִים**, for the deity, just as in the J narrative, in place of the simple **אֱלֹהִים**, as in the priestly narrative. The effectiveness of this procedure is best evidenced by the perfect unanimity with which scholars have, until the present, mistakenly assigned 2:4b to J.

Only 1:1 remains to be considered. The discussion of this verse hinges upon the word **בָּרָא**. Attention has frequently been called to two marked peculiarities of this word. In the Bible it is used to designate the creative activities of the deity alone, and is never used of human activity, and it never takes the accusative of the material from which a thing is made, as do other verbs of making, but uses the accusative to designate only the thing made. From this many scholars have concluded that the word has a peculiar theological connotation, designating the unanthropomorphic, effortless creative activity of the deity through the exercise of his will alone,¹ that is particularly appropriate to the story of creation by God's fiat alone.

But it is significant that **בָּרָא** is used constantly elsewhere in the Bible as a synonym of other verbs of making or creating, with apparently little or no distinction in meaning. Thus it is used as a synonym of **עָשָׂה** in Isa. 41:20; 43:7; 45:7, 18; of **יָצַר** in Isa. 43:1, 7; 45:7, 18; Amos 4:13; of **כָּנָן**, Isa. 45:18, and of **יָסַד**, Ps. 89:12 f., while in Genesis, chapter 1, it is, as we have seen, likewise used as a synonym of **עָשָׂה**² without the slightest shade of difference in meaning being apparent. And, as we have seen, **עָשָׂה**, as used in Gen. 1—2:4, implies physical activity on the part of the deity, and not the purely unanthropomorphic, mandatory creative power as set

¹ So Ibn Ezra on Gen. 1:1; Dillmann, *Genesis*⁴, p. 17; Wellhausen, *Prolegomena*⁴, pp. 304 and 387; Gunkel, *Genesis*⁴, p. 102; Skinner, *Genesis*, pp. 14 f.

² Cf. 1:21 and 27 with 25.

forth in the original "divine-fiat" version of the creation story. We have seen that all the עשה passages in 1:1—2:4 are secondary, and that the same is true of every ברא passage thus far considered. Moreover, in 1:21 and 27, ברא is used, as has been said, as an exact synonym of עשה, as in 25.¹ It is clear, therefore, that the meaning of supernatural, creative activity through the exercise of the divine will alone, read into ברא by the above-mentioned scholars, has not the slightest foundation, and that, accordingly, ברא has no connection at all with the fundamental principle of the original "divine-fiat" version of the creation story, viz., creation by God's word alone. In other words, ברא in 1:1, just as in every other passage in which it occurs, has no relation with the original "divine-fiat" version of the creation story, but as a synonym of עשה, as used elsewhere in secondary passages in the present text, connotes an idea altogether at variance with the original version. This stamps 1:1 also as secondary, the work of a redactor, probably again RJEDP.²

But this makes one thing clear: 1:3 cannot have been the actual beginning of the original "divine-fiat" version of the creation story. It is too abrupt for a proper beginning, and it presumes the presence of certain conditions which must have been described in the original version, and the narrative of which must have, for reasons which can only be surmised, been suppressed by the redactor.

This completes our analysis of the present text of the creation story. We have found that it consisted of an original simple account of the creation of the universe by means of divine mandates uttered by a deity, conceived of as too transcendental and spiritual to be

¹ LXX renders ברא and עשה in all three cases indiscriminately *ποίησεν*, as also here in 1:1. In fact only in 2:3 and 4 does LXX render ברא by any verb other than *ποίησεν*. In 2:3 it renders ברא by *ἔθηκεν*, and in 2:4 *ἐποίησεν*. Elsewhere, too, LXX makes no distinction between ברא and its various synonyms. In fourteen passages outside of the creation story it renders ברא by some form of *ποίησεν*, in twelve passages by some form of *ποίησεν*, in two passages by a form of *κατασκευάζω*, and in two passages by a form of *κατασκευάζω*. Obviously LXX attached no particular connotation to ברא, theological or otherwise, different from that held by other verbs of making or creating.

² In view of the secondary character of 1:1, and also of 1:2, the problem of whether בראשית is in the absolute or construct state loses its theological import entirely, and likewise much of its grammatical significance. Probably in view of the ביום ברא of 5:1 and the ביום עשות יהוה אלהים of 2:4, both verses in all likelihood the work of the same redactor as 1:1, we should read, בראשית ברא, as was proposed already by Rashi. With this reading the redactorial character of 1:1 is all the more apparent.

invested with human attributes, or to create in perfectly human manner by the work of his hands. This original narrative was greatly, almost completely, recast by later writers or editors, who operated chiefly from theological motives. Their primary purpose was to introduce the idea of the Sabbath as a day of rest divinely instituted for all mankind already at creation. To carry out their purpose they were compelled to sacrifice something of the transcendentalism and unanthropomorphism of the original, and reintroduce the old idea, most clearly expressed in the Yahwist account of creation, of God making things, impliedly, though purposely not expressed, with his hands, and wearying himself through his exertions, and therefore resting on the seventh day. Incidentally they of necessity recast the details of the story, and crowded the various processes of creation into six days, in order to pave the way for the Sabbath upon the seventh day. They also introduced the motif of God reviewing the result of each creative act and pronouncing it good. They also incorporated the motifs of man being created in the image of the deity, and of the primeval Golden Age, when there was as yet no shedding of blood and eating of flesh. Moreover, they took considerable liberties with the text, particularly with the introduction, which they seem to have suppressed completely, and with the account of the creation of man, which they recast so thoroughly that of the original hardly more remains now than the, in its present context, almost meaningless *כִּן יִדְדִי* of 1:30, and the blessing in 1:28a.

As nearly as we can reconstruct it, the original text of the creation story must have been as follows:¹

(An introductory statement, probably brief, and describing the condition of chaos which was at first.)²

וַיֹּאמֶר אֱלֹהִים יְדִי אֹר וַיְדִי אֹר וַיְבַרֵּךְ אֱלֹהִים בֵּין הָאֹר וּבֵין
הַחֹשֶׁךְ וַיִּקְרָא אֱלֹהִים לְאֹר יוֹם וּלְחֹשֶׁךְ קֶרָא לַיְלָה:
וַיֹּאמֶר אֱלֹהִים יְדִי רִקְעַת בְּתוֹךְ הַמַּיִם וַיְדִי מִבְדִּיל בֵּין מַיִם לַמַּיִם
וַיְדִי כֵן: וַיִּקְרָא אֱלֹהִים לְרִקְעַת שָׁמַיִם:

¹ () indicate that a portion of the original text has been suppressed.

² Not impossibly *וַיְבַרֵּךְ אֱלֹהִים בֵּין הָאֹר וּבֵין הַחֹשֶׁךְ* of 1:2a² is a reminiscence of this original introduction. Certainly the references thereto in 1:3 and 4 indicate that the suppressed introduction must have made some mention of the *חֹשֶׁךְ*.

וַיֹּאמֶר אֱלֹהִים יִקְוּ הַמַּיִם מִתַּחַת הַשָּׁמַיִם אֶל מְקוֹה אֶחָד וְתִרְאֶה
הַיִּבְשָׁה וַיְהִי כֵן: וַיִּקְרָא אֱלֹהִים לַיִּבְשָׁה אֶרֶץ וּלְמְקוֹה הַמַּיִם קִרָּא
יַמִּים:

וַיֹּאמֶר אֱלֹהִים תּוֹצֵא הָאָרֶץ דָּשָׁא וַיְהִי כֵן: (וַיִּקְרָא אֱלֹהִים לְדָשָׁא
הַ עֵץ וּלְדָשָׁא הַ קִרָּא עֵשֶׂב:)

וַיֹּאמֶר אֱלֹהִים יְהִי מֵאֲרֵת בַּשָּׁמַיִם וַיֵּאִירוּ עַל הָאָרֶץ וַיְהִי כֵן:
(וַיִּקְרָא אֱלֹהִים לְמֵאֲרֵת הַגָּדֹל שֶׁמֶשׁ וּלְמֵאֲרֵת הַקָּטָן קִרָּא יָרֵחַ:)
וַיֹּאמֶר אֱלֹהִים יִשְׂרְצוּ הַמַּיִם שְׂרָץ וַיְהִי כֵן: (וַיִּקְרָא אֱלֹהִים לְשְׂרָץ
הַמַּיִם דָּג(?):) וַיְבָרֶךְ אוֹתָם אֱלֹהִים לֵאמֹר פְּרוּ וּרְבוּ וּמִלְאוּ אֶת
הַמַּיִם בַּיָּמִים: (וַיֹּאמֶר אֱלֹהִים יִעֹפֶף עוֹף עַל הָאָרֶץ וַיְהִי כֵן:
וַיִּקְרָא אֱלֹהִים לְעוֹף צִפּוֹר(?):) וַיְבָרֶךְ אוֹתָם אֱלֹהִים לֵאמֹר פְּרוּ
וּרְבוּ וּמִלְאוּ אֶת הָאָרֶץ: (:

וַיֹּאמֶר אֱלֹהִים תּוֹצֵא הָאָרֶץ נֶפֶשׁ חַיָּה וַיְהִי כֵן: (וַיִּקְרָא אֱלֹהִים
לְנֶפֶשׁ הַחַיָּה אֲשֶׁר הוּצִיָּאָה הָאָרֶץ בְּהֵמָה וְרֶמֶשׂ וְרֵמֶשׂ אֶרֶץ: וַיְבָרֶךְ
אוֹתָם אֱלֹהִים לֵאמֹר פְּרוּ וּרְבוּ וּמִלְאוּ אֶת הָאָרֶץ:)

וַיֹּאמֶר אֱלֹהִים (תּוֹצֵא הָאָרֶץ
וַיְהִי כֵן: וַיִּקְרָא אֱלֹהִים לְ— אָדָם:) וַיְבָרֶךְ אוֹתָם אֱלֹהִים
לֵאמֹר פְּרוּ וּרְבוּ וּמִלְאוּ אֶת הָאָרֶץ וּכְבֹּשֶׁה:
וַיִּכְלּוּ הַשָּׁמַיִם וְהָאָרֶץ וְכָל צְבָאָם:

There cannot be the slightest doubt that this original version of the creation story is entirely the work of priestly writers. The consistent use of the term אֱלֹהִים to designate the deity, and also the use of such characteristic terms as פְּרוּ וּרְבוּ, שְׂרָץ, צִבָּא, as well as the pedantic, formulistic style, would be in themselves sufficient indications of priestly authorship.

But even more significant is the conception of the deity. The central theme of the narrative is not so much the creation of the universe as the creation of the universe through the mere word of God alone, and entirely without human-like, physical activity. This conception of an altogether transcendental, unanthropomorphic deity, motionless and timeless as it were, free from all the restraints that limit human activity and power, with no lowly, human attributes, so the story implies, other than the power of

speech and command, and with this command, unlike that of humans, irresistible in power and infallible and perfect in execution, such a conception of deity is far beyond anything conceived of in the J document, particularly in connection with the Yahwist creation story in Gen. 2. On the other hand, it accords fully with the priestly conception of the deity in the form of the *k'bhod Yahwe*, a fiery apparition enveloped in the cloud, ordinarily invisible to mortal eye, infallible in judgment and decision, and prompt and irresistible in action.¹

Moreover, the conception of the word of God as the creative force is manifestly related to the theological concepts of Wisdom as the companion and agent of the deity in the wisdom literature,² of the *amātu*, the divine word, in Babylonian religious literature of the Seleucid period,³ of the *memrā* in Targumic literature,⁴ and of the *Logos* in Gnostic writings.⁵ However, inasmuch as the divine word in Gen. 1 is not yet a personified being, apart from and independent of the deity, his agent and associate, as are Wisdom, the *amātu*, the *memrā*, and the *Logos*, it is clear that Gen. 1 presents an early stage of the evolution of this peculiar theological concept, an early stage such as would be expected in a priestly writing of the close of the sixth or of the beginning of the fifth century B.C.

This likewise tends to confirm the already sufficient refutation by Gunkel of Budde's hypothesis that the priestly account of creation must have been based upon an older literary version, the work of J2 writers. There is absolutely nothing in the original priestly literary version, as we have reconstructed it, to indicate an earlier, Yahwist form of the narrative, or to require the assumption thereof. In form and in thought this original narrative not only bears all the earmarks of priestly composition, but also differs too greatly from fundamental Yahwist concepts to permit of any such assumption.

On the other hand, Gunkel's argument that this creation tradition must have been current in Israel from very ancient times,

¹ Cf. my article, "Biblical Theophanies," *ZA*, XXV (1912), 141-53.

² Cf. Proverbs 8:22-31.

³ Cf. Reissner, *Sumerisch-babylonische Hymnen nach Tontafeln griechischer Zeit*, Nos. 1, 4, 5, 6, 7, 12, and 13, and Langdon, *Sumerian and Babylonian Psalms*, XVIII f.

⁴ Cf. Kohler, in *JE*, VIII, 464 f.

⁵ Cf. my article, "Biblical Theophanies," *op. cit.*, XXVII (1914), 52 f.

because of the presence in it of terms of presumably ancient, mythological character and origin, such as תהו ובהו, תהום, and ברא, is likewise refuted. In the first place, Gunkel makes the assumption that these terms are all ancient and of mythological origin entirely without positive evidence therefor. תהום is undoubtedly a term, mythological in origin, and, it may be inferred from Gen. 49:25; Deut. 33:13, and Amos 7:4, of early usage in Israel.¹ But the other two terms do not appear in biblical literature before the Deuteronomic period, and probably were not used earlier.² And, in the second place, in the original text, as we have reconstructed it, not one of these terms was used.³ The words occur only in the late, secondary passages, ברא as a pure synonym of עשה, and תהו ובהו, just as used elsewhere, in the absolutely unmythological, colorless meaning of waste and empty. This disposes of Gunkel's hypothesis of the necessarily very ancient existence of this creation tradition in Israel in a preliterate form.

It is noteworthy that the original text, as we have reconstructed it, is, in the ordinary sense, singularly free from all mythological elements. This was to be expected. For mythology, by its very nature, presupposes the concept of gods and heroes in purely human form, and endowed with human attributes and human virtues and failings. But here the absolutely monotheistic, transcendental conception of the deity could not tolerate anything in the slightest degree mythological in character. This, too, is characteristic of the primary portions of the Priestly Code.

However, it is clear that just in this original creation story, and not at all in the secondary interpolations, do we have contact with the well-known Babylonian creation epic. Of the secondary motifs of the biblical creation story, viz., the Sabbath, with the six-day creation period, the Golden Age at the beginning of existence, and man created in the divine image, only the last bears even the slightest relationship to the Babylonian epic. On the other hand, the original biblical creation story told, like the Babylonian epic, of the separation by the deity of the primeval watery chaos, presumably called

¹ Cf. above, p. 197.

² Cf. Wellhausen, *Prolegomena sur Geschichte Israels*, p. 387.

³ Unless, as has been suggested above, תהום in 1:2a² be a reminiscence of the original introduction, suppressed by the redactor.

תהום, into two bodies of water, one above and one below, of the fixing of the bounds of the lower ocean and of the bringing forth of the earth in its midst, of the creation of the heavenly bodies, and, finally, of man. Not unlikely, the still missing portions of the Babylonian epic may have told of the creation by Marduk of plant and animal life on earth in a manner similar to the account in Genesis, chapter 1. And, finally, the word of Marduk in the Babylonian epic is all-powerful and irresistible,¹ just as, although with far different and less spiritual application than, the word of Yahwe. There can be no doubt, therefore, that the original priestly creation story is related to the earlier Babylonian myth.

But, as Gunkel has pointed out conclusively, this relationship is indirect, rather than direct. The differences between the Babylonian myth and the biblical story in its original form are quite as far-reaching and significant as are the points of contact. Actually, as Gunkel has clearly shown,² various references scattered throughout the Bible, but found almost entirely in post-exilic writings, evidence the existence in Israel, at least in the post-exilic period, of a tradition of Yahwe's victorious combat with a terrible monster, assisted by helpers of a like character, and of the subsequent creation of the universe, which resembled the Babylonian myth in character and details much more closely than did the original priestly creation story. We must, therefore, conclude with Gunkel, that the original priestly creation story was related only indirectly to the Babylonian myth, and that it was directly based upon an Israelitish version of this myth, which had in some way become current in Israel, and from which the priestly authors, in characteristic manner, stripped all mythological elements in their literary version.

Just when this tradition in its preliterate form became current in Israel, it is difficult to determine. Probably the only correct procedure would be to consider this question in connection with the larger question of the time when other traditions of an unmistakably Babylonian origin, such as the flood story, became current in Israel. It can be easily demonstrated that the J version of the flood story in its literary form is the product of the very latest period of Yahwist

¹ Cf. Tablet IV, 22-26. However, since this word of Marduk plays no rôle at all in the remaining portions of the Babylonian epic, this may be a secondary element therein.

² *Schöpfung und Chaos*, pp. 29-114, and *Genesis*², pp. 127 f.

literary activity, probably about the middle of the seventh century B.C. But it is not impossible that here, too, a preliterate tradition of the flood may have been long current in Israel.

The use of תְּהוֹם in Gen. 49:25; Deut. 33:13, and Amos 7:4, even assuming that all three passages are genuine, is not altogether indicative; for, granting that תְּהוֹם is a Hebraization of the Babylonian *Tiāmat*, the word תְּהוֹם may have become current by itself in Western Asia at an early date, in the purely colorless meaning, the ocean, without immediate dependence upon the Babylonian myth; in other words, Israel may have adopted the word תְּהוֹם into its language without necessarily being at all acquainted with the Babylonian myth. Nor is there any assurance that the serpent at the bottom of the sea in Amos 9:3 is Tiamat, or is based upon a reminiscence of Tiamat. Sea-serpent traditions and myths were, we know, current among the maritime Phoenicians, and, in all likelihood, passed directly from them to Israel through the natural channels of commerce. Such a conception of a living, monstrous sea serpent, lying at the bottom of the ocean in wait for his prey, would be a much more natural basis for Amos 9:3 than the myth of Tiamat, identical with the sea itself, slain by Marduk, and with her body cut in twain. All in all, therefore, we must regard the question of the antiquity of the Babylonian myth in Israel as by no means settled, despite Gunkel's positive assertions of a very ancient date,¹ and leave the solution of this highly important problem for further investigation.

III

In the secondary interpolations into the creation story, the primary element is the introduction of the Sabbath as a day of rest, with its corollary, the six days of work for the deity, and impliedly also for man. As we have seen, the introduction of the Sabbath motif into the creation story probably went hand in hand with the revision of the religious calendar, with its change in the system of counting the days, and with the ultimate shifting of the dates of the festivals, the introduction of Yom Kippur on the 10th day of the 7th month, the transfer of Rosh Hashona from the 10th to the 1st day of the 7th month, and of Succoth from the 3d through

¹ Cf. his detailed argument in *Schöpfung und Chaos*, pp. 114-70.

the 10th day of the 7th month to the 15th through the 21st, and ultimately through the 22d.¹ Inasmuch as Yom Kippur was still unknown to Ezra, and also inasmuch as it can be easily shown that even Pg knew only the old calendar system, with Rosh Hashona on the 10th day of the 7th month, and the culminating climax of the Succoth-New Year's festival, it follows that these secondary passages in the creation story must be the product of the period after Ezra. The revision of the creation story for the evident purpose of representing the Sabbath as the first, and, therefore, presumably as the fundamental institution of religion, undoubtedly goes hand in hand with the Sabbath reforms of Nehemiah (9:14; 10:32; 13:15-22), with the emphasis laid upon strict Sabbath observance by Trito-Isaiah (56:2-6; 58:13 f.; 66:23), and with the Sabbath legislation in other, likewise secondary, portions of the Priestly Code (Exod. 16:22-27; 35:2 f.; Lev. 23:3; Num. 28:9 f.). Accordingly, this first redaction of the original creation story may be confidently set at some time after Nehemiah, presumably in the fourth century B.C.

One matter is of primary interest and significance. This revision of the creation story recast it completely and made it accessible to and significant for an entirely different and far larger group than the priestly authors of the original "divine-fiat" version could have possibly had in mind. For the conception of a motionless, unanthropomorphic, transcendental deity, such as was depicted in the original priestly creation story, was purely speculative, philosophic and theological in character, and could have had little meaning and message for the people at large. It was clearly the product of the thinking of priestly theologians, and in its original form could have been generally current only in esoteric, priestly circles.

The revision of the creation story altered this completely. It gave a practical application to the story, and brought the conception of the deity, set forth therein, down to the level of the folk-mind and folk-intelligence. The deity, previously transcendental, unanthropomorphic, and abstract, once more became, as in the earlier and more primitive Yahwistic folk-traditions, immanent and active,

¹ Cf. my article, "Two Ancient Israelite Agricultural Festivals," *Jewish Quarterly Review* (New Series), VIII (1917), 31-55.

conceived with purely human attributes, working with his hands, wearying himself, even as men weary themselves, and therefore needing rest and refreshment on every seventh day. Man is like him in this and many other respects; hence the idea that man was made in the image of God. This represents, in a way, a harking back to old traditions and conceptions of the deity, such as are recorded in the Yahwist creation story in Gen. 2, and elsewhere in that book of folk-traditions, and likewise in the prophets.¹ The prophets were not philosophers or theologians; at least in their messages to the people they did not consciously philosophize or theologize beyond the comprehension of the masses. They spoke to the people in their own language of a God close and living, whom the people could visualize, comprehend, and revere.

Just this this first revision of the creation story does. It takes the original, abstract, theological creation story, relegates the speculative, theological element to a secondary position, and gives the story a practical application and a human touch by introducing the Sabbath motif, with its corollary of six days of work, and with its thought that man was made in the image of God, and is therefore not far from and infinitely beneath him, as the "divine-fiat" motif implies, but is close to him and beloved by him,² and the cognate thought that all this universe which God has made, he has made good, i.e., good judged by human standards, in other words, good for man. This thought of the goodness of the universe found concrete expression in the tradition of the Golden Age at the beginning of existence, when all life was good, with its implication of the gradual degeneration from the high and perfect standards of the Golden Age, but with the corollary of Judaism, that that Golden Age would be restored at the end of time.³ With this new content the creation story, like the deity which it had first pictured, ceased to be cold, distant, and lifeless; it came close to the heart of the people, with a message of goodness, faith, hope, devotion, and loyal and punctilious observance, that must have warmed and cheered the hearts of the people then, just as it has ever since.

¹ Cf. Isa. 40:22, 26, 28; 42:5; 44:24; 45:7, 18; Jer. 31:35; Amos 4:13.

² Cf. the thought of the closely related Ps. 8.

³ Gunkel, *op. cit.*, p. 113.

Possibly not without significance is the fact that the Sabbath is represented, not as a day of positive worship and of offering sacrifices, but merely of abstention from work. Not the priestly, sacrificial, Sabbath ritual, such as is prescribed in Num. 28:9 f. is enjoined, which must have centered in the Temple, but the folk-observance of freedom from toil, of resting, with its probable corollary of gatherings of the people for various kinds of observance, among other things, in all likelihood, assemblies in the synagogues for prayer and the reading of the Law. We know that already in the Greek period an anti-priestly folk-movement had begun, which crystallized eventually in the opposed Pharisee and Sadducee parties.¹ Whether this beginning had been made already by the last half of the fifth century B.C., or even by the beginning of the fourth century, and whether this revision of the original priestly creation story, from the standpoint and in the interests of the people at large, was the product of this tendency, while by no means impossible, cannot be affirmed with certainty. But it is, at least, an attractive hypothesis.

Equally attractive is the hypothesis that these redactors of the creation story in the spirit of the people at large were the men who edited JED with P. Certainly Gen. 2:4 is the work of RJEDP, and equally certainly the picture of the deity in the secondary, Sabbath portions of the priestly creation story is strikingly similar to that of the Yahwist creation story in Gen. 2. Moreover, the singular יְהוָה in 1:27a β implies that יְהוָה was regarded as a proper name, just as in Gen. 2-4 (J) and in 5:3 (P2[?]). Scholars have frequently commented upon the fact that in many respects the style of many unmistakably secondary portions of the Priestly Code is more strikingly similar to JE than to P.² This will not by any means hold true of all secondary portions of the Priestly Code; for example, the secondary portions of Lev. 16, instituting Yom Kippur on the 10th day of the 7th month, and fixing the sacrificial ritual for this day, supplementary to the procedure with the two goats, the original New Year sacrifice,³ is manifestly priestly in

¹ Cf. Lauterbach, "Sadducees and Pharisees," in *Studies in Jewish Literature in Honor of Kaufman Kohler*, 1913, pp. 176-98.

² Cf. Carpenter and Harford, *The Composition of the Hexateuch*, p. 298.

³ Cf. my article, "Two Ancient Israelite Agricultural Festivals," *op. cit.*

content and literary form. Nevertheless it may well be that the editing of JED with P took place in just this period after 400 B.C., and was the work of the same school of writers who revised the original priestly creation story in the interests of the people at large. Familiar with the JED writings, and largely sympathetic with their spirit, they were in all likelihood almost as greatly influenced thereby in thought and style as by the prevailing priestly thought and mode of writing of their own day. All this, however, is advanced as a very attractive and by no means improbable hypothesis, which must, nevertheless, be tested repeatedly in future investigations and from various points of approach before it can be adequately affirmed or refuted.

Even after this first and most thoroughgoing revision, the text of the creation story was for some time in an indetermined, fluid state, and various insertions of minor character were made, such as 1:2a β and *b*, the supposedly scientific classifications of 1:11, 12, 21, 25, and 29, the secondary portions of 1:14, 15, and 16, the reference to the חַיִּיִּים in 1:21, 28*b*, etc. The additional and variant readings of LXX and Sam. are less likely the result of textual corruption than of individual revision and glossation of various manuscripts from which these versions were made. For a time the text of Gen. 1, as well as of the entire Torah, must have varied somewhat in minor details in different manuscripts, until eventually an official, approved, and accepted text was fixed by the authorities of the time, presumably the Soferim or the Great Synod. In this way the creation story in Gen. 1—2:4 came into being in practically its present form in the Masoretic Text.

DATE CULTURE IN ANCIENT BABYLONIA

By A. H. PRUESSNER
Freeport, Illinois

In the *Revue d'Assyriologie* of 1913, V. Scheil called attention to the importance of the date-palm culture for ancient Babylonia, and to the comparatively high state of perfection which it had attained.¹ His remarks were based on a tablet of his own, coming from Umma, and a fragment of another from Nippur.² From these documents he draws the following conclusions:

1. That there existed as early as 2400 B.C. in the Tigris-Euphrates Delta large date-palm orchards of many hectares in extent;
2. That the size of orchards was readily estimated, not by the usual field measurements, but by the number of trees in it;
3. That artificial fecundation of the female date tree was employed, and that male trees were grown apart;
4. That the estimation of the produce was made according to series of trees of practically equal bearing ability, and instead of weight, volume measure was employed;
5. That the maximum yield per tree went as high as 300 ka (105 kilograms, or 141 liters);
6. That accounts in this matter were kept with rigor and preciseness, according to the most rational proceedings.

Since the publication of this short article of Scheil's the subject has received, at least as far as the writer was able to ascertain from the bibliographies at his disposal, no further treatment from Assyriologists. It certainly does not seem out of place to gather together the facts concerning date culture from the various documents now at our disposal in an attempt to gain a better understanding of this important factor in the economic life of the early inhabitants of the Mesopotamian Delta.

¹ *De l'exploitation de dattiers dans l'ancienne Babylonie.*

² Published by Myrhman in *BE*, III, 63.

The writer in undertaking this task is well aware of the disadvantage at which he is placed by not having any practical, personal experience in date culture as it is carried on today in those regions. Fortunately there are at his disposal two excellent modern authorities, namely, the reports of two experts of the United States Department of Agriculture, one having been sent to Algiers¹ and the other to southern Mesopotamia² to make a thorough study of the subject in question at these two most prominent centers of date growing of our days. These two reports contain a wealth of facts, given in clear, simple language, while their usefulness is still further enhanced by a large number of beautiful half-tone illustrations from actual photographs. With these modern authorities as our guides, we shall now set out on a trip of inspection through the palm groves of ancient Sumer and Akkad.

Today the center of the most extensive date-palm plantations in the world is found in the district of Bassorah and Mohammerah along the banks of the Shatt-el-Arab. Travelers entering Mesopotamia from the Persian Gulf by way of this river marvel at the seemingly endless forest of palms, which is estimated to contain some five million trees. The predominance of date culture in this region is due to the fact that the most favorable conditions for the growth of this palm are found here in a happy combination. According to an old Arab saying the date palm will flourish best with her foot in water and her head in hell, and this prerequisite is remarkably well fulfilled in lower Mesopotamia. The summer heat is terrific, and because of the humidity of the air due to the palm groves, which give off a great deal of moisture, very oppressive, and for Europeans almost unbearable. According to Dr. S. M. Zwemer at Bahrein the thermometer remains for many days and nights above 100° F. from May to September, while for the Shatt-el-Arab as high as 124° in the shade has been recorded. Hand in hand with this climatic condition, so desirable for date growing, goes the ease with which irrigation is

¹ Walter T. Swingle, *The Date Palm and Its Utilisation in the Southwestern States*, U. S. Department of Agriculture, Bureau of Plant Industry, Bulletin 53.

² David G. Fairchild, *Persian Gulf Dates and Their Introduction into America*, Bulletin 54.

accomplished.¹ The banks of the river are so low that the Arabs, while sitting on them can wash their hands in the flood. The influence of the tides of the Persian Gulf reaches far up into the channels of the Euphrates and Tigris. At Bassorah the high tide raises the river about six feet above its low level, and thus twice daily the countless canals and irrigation ditches are filled with the warm water from the river. No power of any kind is needed for this tidal irrigation, except for the task of keeping open the channels.² Also the demand for a slightly alkaline soil is satisfied throughout the delta of the "two rivers."

At the period with which we are concerned most of the region described above was probably still covered with swamps and lakes. The ^{na}ru Maratti, a broad estuary forming the mouth of the "two rivers" reached in all probability northward to the region of Ur and Eridu, while eastward the Susiana marshes stretched toward Elam. Sumer, the ancient center of date growing in the south, extended from Eridu northward along the banks of the present Shatt-el-Hai, which was then the main channel of the Tigris. The conditions in this region were without doubt just as favorable as they are today in the Bassorah district. That the ideal free-flow irrigation was possible here, we have by authority of Sir W. Willcocks.³ Besides Sumer in the south, Akkad in the north of the delta had its date culture. Even today palm groves of considerable extent are found around Bagdad, and at Hillah on the Euphrates. The summer heat is here practically the same as farther south, and irrigation was made easy in the days of Babylonia's glory through proper regulation and distribution of the waters of the Euphrates during the flood season, which lasts throughout the summer until September. The rather large space devoted to the subject of date culture in the Code of Hammurabi testifies to the important position which it occupied in the agricultural life of his empire. For a later time we have the testimony of Greek travelers in regard to the wealth of Babylonia in date palms; Herodotus informs us that palm trees grew in great numbers over the whole of the flat country.

¹ Fairchild, *op. cit.*, p. 10.

² *Ibid.*, p. 14.

³ Sir William Willcocks, *From the Garden of Eden to the Crossing of the Jordan*, p. 3.

SECTION I

THE PLANTING OF A DATE ORCHARD

The date palm propagates its kind in two ways: from seeds and by offshoots from the roots of the parent tree. It has been found, however, that the fruits of trees grown from seeds exhibit marks of deterioration from the original kind. For this reason the tree is propagated in all important date-growing regions by transplanting the offshoots, which reproduce exactly the parent variety of dates. Such offshoots are produced very abundantly by young date palms, but care should be taken never to let more than four grow at the same time, since otherwise the growth of the palm would be unfavorably affected. Just as soon as their sex can be recognized they are removed and transplanted.

It is very important that the offshoots be planted high enough so that the growing bud in the center is never in danger of being covered with water when irrigated. In order to force the offshoots to take roots and grow the chief requisite is that the ground be kept constantly wet about their bases. If the young plants dry out once they are lost, for the delicate new roots that are just forming will be killed. The Arabs water the offshoots every day for the first forty days after planting and then twice a week until winter; after which they are watered as often as may be necessary to keep the ground thoroughly moist.¹

The young plants must also be protected against cold the first winter after they are set out. Under favorable conditions these offshoots begin to bear fruit the third or fourth year after transplanting.

Having obtained this necessary information concerning the requirements for planting a new, or enlarging an existing, date orchard, let us turn to the documents from ancient Babylonia that have any bearing on our subject. The safest way will be to consult the law of the land first, namely the Code of Hammurabi. Four paragraphs (60-63 incl.) are devoted to questions regarding the planting of date orchards.

§ 60: If a man give out a field to a gardener for the purpose of planting a date orchard, the gardener shall plant the orchard; four years he shall take

¹ Swingle, *op. cit.*, p. 21.

care of the orchard, in the fifth year the owner of the orchard and the gardener shall divide equally (the produce of the orchard); the owner of the grove shall choose his share and take it.

In this paragraph the great king assumes the case, that a Babylonian landlord intrusts to somebody a piece of land to have it converted into a palm grove. The offshoots, no doubt, can be procured on the landlord's estate, but the gardener will have to do the transplanting. For three years he will have to take care of the young palms in the manner described above. In the fourth year, when for the first time a goodly produce could be expected, the owner and the planter were to divide it equally, the owner having the right of first choice. At first sight this remuneration for three years' work seems to be rather meager, a consideration which has led Dr. Kohler to the opinion that this paragraph gave to the gardener legal title to one-half of the orchard which he planted.¹ This view is, of course, erroneous. The planter got his pay for the years during which he took care of the unproductive young palms from the so-called secondary cultures between the trees. A large percentage of the surface could be sown to good advantage with grain, sesame, millet, or clover. The crop thus produced was evidently at the disposal of the laborer, since no provision whatever is made in regard to it. To this was added in the fourth year one-half of the yield of dates from the grove.

§ 61: If the gardener does not complete the planting, but leaves an empty space, that empty space shall be assigned to his share.

The import of this provision is very clear. It is to furnish the planter with an incentive to do his duty, and to keep him from loitering. Naturally, since the owner was to select his share first, the empty space would remain for the negligent gardener.

§ 62: If he do not plant the field entrusted to him, then in case it is a grain field, the gardener shall pay rent to the owner of the field, for the years during which he has neglected it, on the basis of adjacent fields, and after he has prepared the field for cultivation, he shall return it to its owner.

¹ Kohler und Peiser, *Hammurabis Gesetze*, pp. 112-13: "Bei der Dattelpacht finden sich noch besondere interessante Verhältnisse: der Eigener überlässt dem Landmann ein Gelände zur Dattelpflanzung; die Pflanzung dauert 4 Jahre; im 5. Jahre tritt als Belohnung für die Arbeit Miteigentum am Grundstück ein, und der Arbeiter wird Eigentumsgenosse, wobei der bisherige Eigener das Recht hat seinen Teil auszuwählen, § 60."

This paragraph provides redress against a flagrant neglect of duty on the part of the planter. He has not only failed to plant the orchard, but has also allowed the productive field to deteriorate. In such a case the Code stipulated that the neglectful planter must pay to the owner the rate of rent common for such lands. Estimation of the yield was made on the basis of that of adjacent fields. Besides paying this rent he had to return the field in a condition fit for immediate cultivation. Should the neglect prove to be serious it might entail for the planter two years of hard work to reclaim (pitá) the field. During this time little produce could be expected, yet the owner demanded the pay of the full legal rate of rent. Certainly, any planter could ill afford the luxury of loafing when he undertook to plant a date orchard for a Babylonian landlord.

§ 63: In case the field was unreclaimed, he shall prepare it for cultivation and return it to the owner of the field, and per 18 gan he shall pay 10 gur of grain for one year.

The case assumed here is like that of § 62, with the exception that the field in question had been an unreclaimed tract of land. In this case the task technically called *teptitum* was imposed upon the planter, i.e., he had to convert the unreclaimed field into productive land, and pay full rent for one year.

From these provisions of the Code respecting the planting of date orchards we may safely infer that the young trees planted were exclusively offshoots from parent trees, otherwise a date harvest could not have been expected from them for the fourth year. Seedlings require from 8-15 years before they produce fruit. Turning now to the contract literature to illustrate the Code with sample cases from actual life we find a great scarcity of material. There is only one tablet which has reference to the planting or rather enlarging of a date grove, namely:

VS, VII^m (Dilbat)

TRANSLITERATION

1. ^{i^u} Kirám ma-la ba-z[u-ú]
2. ^{i^u} kirt ^{il^u} šamaš-nu-úr-ma-tim
3. itti ^{il^u} šamaš-mu-úr-ma-tim
4. lugal Giš-Sar-E
5. m. ^{il^u} marduk-na-ši-ir

6. *mar hu-za-lum*
7. *Nam . Gal . Kid . Kid . A*
8. *Nam . Mu . III^{kam}*
9. *Ib . Ta . É . A*
10. *Mu III^{kam} i-ka-al-ma*
11. *'^{tu} kirām u-na-pa-aš*
12. *'^{tu} kirām za-ka-am*
13. *a-na be-li-šu*
14. *Gur . Ru . Dam*

TRANSLATION

A date orchard, as much as there is, the orchard of Šamaš-nūr-mâtîm, from Šamaš-nūr-mâtîm, the owner of the orchard, Marduk-nâsir, son of Huzalum, has rented for three years, for the purpose of enlarging it.

While he has use of the orchard for three years, he shall enlarge it, and return it in good condition to its owner.

Two witnesses, and the date: Sixth Simanum, fifth year of Samsu-iluna.

NOTES

Line 4: Semitic equivalent = *bél 'tu Kirîm*.

Line 7: literally, "for making wide"; Semitic equivalent given in line 11.

Line 12: literally, "a clean orchard."

Line 14: Semitic = *u-ta-a-ar*.

Šamaš-nūr-mâtîm rents out an already existing palm grove to Marduk-nâsir to have it enlarged. The latter shall have usufruct of the orchard for three years, while he is planting and taking care of the young palms. The provision of § 65 of the Code, that planter and owner shall divide the produce of the planted orchard during the fourth year, does not apply here since the renter has been remunerated for the work performed by the produce of the existing part of the orchard.

Another question that should be treated before closing this section pertains to the distance that the trees should be planted apart. Mr. Swingle tells us that the Arabs have been in the habit of placing them very close together. The first French colonists in Algeria followed this custom and planted the trees about 20 feet apart. Similar conditions must prevail in the Bassorah district, where, according to Mr. Fairchild, as many as 100 trees are planted on a "djerib," the latter being a little less than an acre. The French colonists have, however, discovered that far better results are

obtained if a much wider space is left between the trees. They now place them from 26 to 33 feet apart. With a distance of 26 feet between the trees about sixty can be planted to an acre. To arrive at a conclusion concerning the habits of the ancient Babylonians in this respect is well-nigh impossible. Their contracts and other documents either state the size of the orchards by the field measurements in use without reference to the number of trees on it, or else they give the number of trees on a certain lot without expressing its size in units of square measure. There is a single document which enables us to make some comparisons:

VS, XIII⁷⁰ and 70^a (Senkereh)

TRANSLITERATION

1. $\frac{1}{2}$ gan + 20 sar ^{iq} kirām
2. lib-ba 25 ^{iq} gišimmari
3. ila ^{iq} kiri a-pil-i-li-šu
4. ^m i-li-i-di-nam
5. u nu-ur-^{il}u Kab-ta
6. ^{iq} kirām e-te-el-pi-^{il}u ištār
7. itti e-te-el-pi-^{il}u ištār
8. lugal Giš . Sar . E
9. ^m a-pil-i-li-šu
10. In . Ši . Šam
11. $6\frac{1}{2}$ šiklu kaspim
12. Šam . Ti . La . Bi . Šu
1. In . Na . An . Lal

TRANSLATION

Seventy sars of date orchards, in it 25 date palms, by the side of the orchards of Apil-ilisu, Ili-idinam, and Nûr-Kabta, the orchard of Etel-pi-Ištār, from Etel-pi-Ištār, owner of the orchard Apil-ilišu has bought.

$6\frac{1}{2}$ šekels of silver, its full price, he has paid.

Date: Rim-Sin, Isin 10.

The statement important for our investigation is contained in lines 1 and 2, namely, that there are 25 trees in this grove of 70 sars. Accepting Thureau-Dangin's calculations¹ of old Babylonian square measure, this surface would be a little less than half an acre. A distance of 30 feet between the trees would correspond to about

¹ *Journal Asiatique*, 1909, pp. 79 ff.: "L'U, le Qa et la Mine."

50 trees per acre. If it be permissible to draw conclusions from a single tablet, its testimony would tend to show that the Babylonians left such ample space between the trees as modern scientific date growers find it most advantageous to give.

SECTION II

CARE REQUIRED BY DATE PALMS

Before taking up the study of this topic from the standpoint of the cuneiform documents let us again first consult our modern authorities. As regards the care of the soil, Mr. Fairchild informs us that

just before a plantation is set out with suckers the soil is dug over by hand to a depth of 18 inches, and this digging is repeated every four years. Weeding is done when necessary and the surface of the ground occasionally stirred.¹

The chief care required by date palms is that they be irrigated as often as needful. The soil should be kept in proper state of tilth, which is usually done by growing some crop between the rows, especially when the palms are young. The leaves are trimmed off as they die, and care is taken not to allow too many offshoots to grow up at the base of the stem, for they draw on the strength of the parent plant. In general not more than three or four offshoots should be allowed to grow at once. At least one should always be left attached to the mother plant to be used to replace it in case of accident. Old palms, ten to fifteen years after planting, which have developed a good trunk 4-10 feet high, do not produce offshoots, and such trees require no attention other than the cutting away of dead leaves, the pollination of the flowers, and the gathering of the fruit.²

Having provided ourselves with these few elementary facts concerning the proper care of date palms, we are so much the better equipped for the task of discovering traces of these facts in the cuneiform texts. That the Babylonians thought it necessary to have the soil of their orchards dug over is evident from the following tablet:

R23,³ transl. by Schorr, *Altbabylonische Rechtsurkunden*, p. 189

TRANSLITERATION

1. *is kirâm ma-la ba-zu-u*
2. *i-na a-ab-hi nâru Purattî*

¹ Fairchild, *op. cit.*, p. 19.

² Swingle, *op. cit.*, p. 25.

³ Ranke, *Babylonian Legal and Business Documents*, Series A, Vol. VI, Part I.

3. *itti šu-lu-ur-tum*
4. *marat ilu i-šum-ba-ni*
5. *m. u-ši-bi-tum*
6. *mār pur- ilu adad*
7. *isu kirām a-na ša-ku-nu-tim*
8. *u-še-zi.*
9. *isu kirām i-ra-bi-iḫ*
10. *a-ra-am zi-na-tum*
11. *i-na-ša-ar*
12. *a-na bi-ḫa-al isu kirīm*
13. *i-za-az*
14. *ma-na-aḫ-ti isu kirīm*
15. *i-ma-ru-ma*
16. *i-pa-al-šu*
17. *[ri-ib-ga-ti*
18. *i-ma-ru*
19. *eḫlam ki-ma eḫlim*
20. *i-ka-al*

TRANSLATION

A date orchard as much as there is, on the bank of the Euphrates, from Šulurtum, the daughter of Išum-bāni, Ušibitum, the son of Bur-Adad, has rented the orchard for caretaking.

He shall spade the orchard; of the blossoms he shall take care; for any damage to the grove he will be held responsible. Any deterioration of the orchard they will estimate and he shall refund; the spading they will inspect, field for field he will enjoy accordingly.

NOTES

Lines 7 and 8: *ana šakanutum ušezi*, technical term for the renting of a date orchard, corresponding to *ana irištum ušezi* in renting grainfields.

Line 9: *i-ra-bi-iḫ*, according to Schorr from $\sqrt{\text{רפ}}$; compare Aram. פריסא רפס = to spade a garden. Levy, *Neuhebr. Wörterbuch*.

Line 10: *arām zinatum*: these terms will be explained later in connection with the pollination of the date trees.

Lines 14-16: Schorr translates, "Sobald er (sc. der Eigentümer) die Ausgaben für den Garten geprüft haben wird, wird er sie ihm zurück erstatten"; i.e., any expenses which the renter may have while taking care of the orchard will be refunded by the owner. This makes good reading but does not reproduce the original. First of all the owner is not a man; the verb should therefore have the feminine form if it referred to the owner. Secondly,

imdruma is plural and not singular. The sense undoubtedly is, that at the end of the period of renting the owner, either with witnesses or with the renter, will inspect the orchard, and if through the neglect of the renter any deterioration in the upkeep of the orchard has taken place, the latter will have to restore the damage. *Manaḫti* from מנח has the meaning of ruin, decline, decay, etc.; cf. Delitzsch, *HW*.

Lines 17-20: In like manner they will take note of the portion that has been spaded by the renter, and he will be entitled to the produce of that portion. This provision is found on the case tablet only.

The contract imposes two duties upon the *šakinum*: (1) he shall spade the garden, (2) he shall watch *arām zinatum*. This latter provision brings us, as we shall see, face to face with an operation that is of eminent importance in rational date culture, namely the process of artificial pollination. A thorough understanding of this process will, in the writer's opinion, throw light on some difficult passages in the Code and the contract literature. We must therefore take time to let our experts explain it to us.

Unlike most fruit trees, the date palm has the male and female flowers on separate individuals. . . . In a wild state the date palm is undoubtedly pollinated by the wind, and about one-half of the trees are males. . . . The artificial pollination was doubtless discovered by the ancient Assyrians,¹ and has been practiced for three or four thousand years at least. Because of the great economy of pollen brought about by this practice, one male tree suffices to pollinate from fifty to a hundred females. The male flower cluster of the date palm consists of a stalk bearing a considerable number of short twigs to which the flowers are attached, the whole contained in a sheath at first entirely closed, but which finally ruptures, disclosing the flowers. . . . The separate twigs to which the male flowers are attached are from 4-6 inches long, and bear anywhere from 20-50 male flowers, each containing 6 anthers full of pollen. One of these twigs suffices to pollinate a whole female flower cluster, and to bring about the development of a bunch of dates.

The female flowers, like the male, are borne inside of sheaths which are at first entirely closed. Finally the sheath is split open by the growth of the flowers within, and at this stage pollination is accomplished. The two tips of the cracked-open sheath are separated and the cluster of female

¹ The author probably uses the term *Assyrians* in the loose sense in which it was formerly employed, and included the inhabitants of the Tigris-Euphrates Delta, who were, of course, the date growers.

flowers pulled out. A twig of male flowers is then inserted into a cluster of female flowers and tied in place with a bit of palm leaf or with a string. This completes the process of pollination.¹

Other facts which should be borne in mind are the following: (1) The female flower clusters do not all appear at the same time, but several weeks may elapse between the appearance of the first and the last clusters. During all this time the trees must be closely observed so that no female clusters may be overlooked. (2) Female flowers may appear at such an early or late date that no male trees are in bloom. Against this emergency the date grower could easily protect himself by storing away some male flower clusters, the pollen of which, it is said, does not deteriorate for at least two years. (3) A female flower cluster not pollinated will grow dates, but such dates are without seeds, they never properly mature, and are without commercial value.²

That artificial pollination of the date palm was practiced during the period of the Assyrian Empire is certain from monumental evidence.³ For early Babylonia the case is not so clear. Scheil, as we have seen, made the inference that it was employed as early as 2400 B.C. If it was known in the days of Hammurabi, it would indeed be peculiar if his Code should be without any provision in regard to this important work. But there are still two paragraphs on date culture awaiting our investigation, namely, §§ 64 and 65. Both have caused the translators a lot of trouble. It will be well, therefore, to reproduce them here in transcription and translation as found in Harper's *Code of Hammurabi*, p. 33.

§ 64

TRANSLITERATION

šum-ma a-wi-lum kirā-šu a-na Nu . Giš . Sar a-na ru-ku-bi-im id-di-in Nu . Giš . Sar a-di kirām ša-ab-tu i-na bi-la-at kirtim ši-it-ti-in a-na be-el kirtim i-na-ad-di-in ša-lu-uš-tam šu-u i-li-ki.

TRANSLATION

If a man give his orchard to a gardener to manage, the gardener shall give to the owner of the orchard two-thirds of the produce of the orchard, as long as he is in possession of the orchard; he himself shall take one-third.

¹ Quoted from Swingle, *op. cit.*, pp. 16, 26, 27.

² Swingle, *op. cit.*, pp. 27-28.

³ Cf. *Guide to Babylonian and Assyrian Antiquities* (British Museum), 2d ed., Pl. X.

§ 65

TRANSLITERATION

*šum-ma Nu . Giš . Sar kirām la u-ra-ak-ki-ib-ma bi-il-tam um-ta-di
Nu . Gis . Sar bi-la-at kirtm a-na i-le-šu [i-ma-ad-da-ad].*

TRANSLATION

If the gardener do not properly manage the orchard, and he diminish the produce, the gardener shall measure out the produce of the orchard on the basis of the adjacent orchards.

The important work which the gardener is to perform, and through the neglect of which he may seriously diminish the produce of the date grove, is designated as "rukubum." The term is rendered by Harper *to manage*; in this he is followed by Rogers.¹ Ungnad translates *bewirtschaften*;² Winckler *bearbeiten*,³ which practically amounts to the same thing as the English translation above. These renderings, which are not even warranted by any of the meanings of the $\sqrt{\text{𐎶𐎵𐎶}}$, are too general and only a confession that the real significance of the term was not clear to the translators. Consulting Delitzsch, *HW*, p. 620, we find a secondary meaning for *rakābu* which is expressed by the equations:

Hi . Nir = r]a-ka-bu

Hi . Nir = ri-ḥu-tu;

also

(a-a) A = rikibtum

(a-a) A = riḥūtum.⁴

We may conclude, therefore, that some forms of *rakābu* were employed to designate the act of fecundation. This information does, however, not take us very far, though it may serve as a hint that we are on the right track. We are obliged to invoke the aid of the cognate languages. Turning to a dictionary of the Talmud,⁵ we make the discovery that $\sqrt{\text{𐎶𐎵𐎶}}$ in the Hiphil may mean *to graft*, *to*

¹ Rogers, *Cuneiform Parallels*, p. 417.

² Ungnad in Gressmann, *Akkorientalische Texte und Bilder*, p. 150.

³ Winckler in *Der alte Orient*, Heft 4.

⁴ Cf. also Muss-Arnolt's *Dictionary*, p. 963.

⁵ Levy, *Neuhebr. und chaldäisches Wörterbuch über Talmudim und Midrashim*.

place one branch upon another. Reference is made to a passage in the Babylonian Talmud, in which it is stated that it was lawful for the people of Jericho to graft date palms all day on the fourteenth of Nisan¹ (i.e., on the eve of Passover), because otherwise they would spoil. Evidently we are getting nearer the secret, for now there has been established at least a connection between the $\sqrt{\text{רנב}}$ and the date palm. Yet it must be remembered that the very nature of this tree makes grafting impossible and unnecessary. The date palm has no branches but only immense leaves, which, if they were grafted on another trunk, would never produce a fruit-bearing crown. Offshoots, however, are never grafted upon another trunk, but are transplanted as soon as they have obtained proper size, which is the safest and least complicated way of propagating a certain kind of date. Grafting is furthermore not an operation which could not be put off a few days longer. Considerations of this nature would lead to the belief that the process referred to is nothing but the pollination of the female flower clusters.

But the Babylonian Talmud brings us still nearer the goal. Rabbi Rashi, commenting on the above passage, describes the $\text{ענף רק של דקל זכר ומרביבן בסדג ריכבא דקלא}$ as follows: $\text{של דקל נקבה מפני שדקל נקבה אינה עשה פירות והזכרים עשין פירות}$,² i.e., a soft branch (of the flower cluster) of the male date palm is placed in the split (of the flower cluster) of the female palm, because a female palm does not bear fruit, while a male does.³

After this excursion to the Talmud we should be justified to return to our deserted two paragraphs of the Code and insert in the place of "to manage," *to pollinate*.

§ 64: If a man entrust his date grove to a šaknum for pollinating, the šaknum shall give of its produce, for the time that he holds the orchard, two-thirds to the owner of the orchard; one-third he himself shall take.

§ 65: If the šaknum does not pollinate the orchard and thereby diminish the produce, he shall pay rent on the basis of the adjacent orchards.

¹ Pes. 4:9 (55^b) מרכיבין דקלים כל היום.

² Pes. 66^a.

³ The words in parentheses are inserted by the writer to show what really took place. Rashi evidently knew in a general way of the significance of pollination for the growing of dates, but was lacking in exact knowledge, as his statement, that the male palm was bearing fruit, shows.

Among the contracts concerning rent of date groves one of the most interesting is doubtless

VS, VII³⁴

TRANSLITERATION

1. ⁱu kīrām ⁱu Amurru
2. ugar a-ra-aḥ-tum
3. u-at-ru-tum
4. u ta-lu ša li-bu eḫ-lim?
5. ⁱu kirt ḥu-ra-za-tum
6. itti ḥu-ra-za-tum
7. ^ma-pil i-li-šu
8. mār ^muraš-mu-ba-li-it
9. a-na ša-ki-nu-tim
10. [Ib] . Ta . É . A
11. [ⁱu ki]rām u-ra-ka-ab-ma
12. [ši-it]-ti-in
13. be-el ⁱu kirtm
14. [ša]-lu-uš-ta-am
15. ša-ki-nu-um
16. i-li-ḫi
17. V bi-la-tim u-ri-e
18. X si-si-na-tim
19. i-na-ad-di-in

TRANSLATION

A date grove of the god Amurru, in the field of the Araḥtum-[canal],—(there are) dry leaves and offshoots,—the date grove of Ḥurazatum, from Ḥurazatum, Apil-ilīšu, the son of Uraš-mubaliṭ, has rented for caretaking. He shall pollinate the orchard; two-thirds (of the produce) the owner of the garden, one-third the renter shall take.

Five talents of urē, ten male flower clusters he shall give (besides).

NOTES

Lines 3 and 4, probably best construed as an inserted nominal sentence, descriptive of the condition of the orchard, and calling attention to the work required of the gardener; *u-at-ru-tum*, lit. "superfluous ones," very likely refers to dead leaves. With *u-at-ru-tum* compare neo-Babylonian *ḥarattu* > Talmudic חרטט = a dried branch. *Ta-lu ša li-bu*: Sum. ^{si} *Gšim-mar* . *Tur* . *Tur* = *lūlu* = *līplīpu* = *līpu* = offshoot; literally therefore the above term signifies "offshoots of offshoots." Compare with this Mr. Swingle's statement that

the offshoots, when uncontrolled, grow unhindered, and rival in size the parent trunk, and they in turn give rise to other offshoots, so that finally the result is an impenetrable thicket with a few tall trunks, and a tangled mass of offshoots at the base; *op. cit.*, p. 15.

Lines 11-16 contain almost verbatim the provisions of § 64 of the Code.

Line 17: *wê* must be left untranslated at present; it doubtless refers to one of the extremely numerous by-products of the date palm.

Line 18: *si-si-na-tim* = *sissinatum* and *sissinnu*, plur. col. of *si[n]-nu* = cluster of date blossoms (*Datteltreispe*); cf. Delitzsch, *HW*, and Muss-Arnolt, p. 775, for references. Our contract helps us to identify the *sissinnu*, not with the flower cluster in general, but with the male blossom in particular. The renter is to deliver ten of them to the owner, and since the pollen can be kept for years against a case of emergency this stipulation becomes clear. Compare also the cases cited in Muss-Arnolt, p. 775: *sis-sin-na-šu ul e-tir* = its male clusters he shall not take; or *sis-sin-ni i-na-aš-ši* = the male clusters shall be brought, i.e., to the owner.

One more tablet should be more closely inspected, namely:

VS, VII², transl. by Schorr, 191, KU, III, 661

TRANSLITERATION

1. *XI gan eḫlum i^u kirām*
2. *ša pa-la-ag i^u Uraš*
3. *itti e-li-e-ri-sa maruḫ na-ḫi-annum*
4. *^m la-ri-bu-um u-še-zi*
5. *li-ib-ba-am si-na-am*
6. *i-na-ša-ar*
7. *um ^{um} suluppi (Ka . Lum)*
8. *i-na i-li-im*
9. *šu-ku-na-am*
10. *i-ša-ka-nu-šu*
11. *1 gan eḫlum Ka . Gar*
12. *šamaššammum ma-la*
13. *i-ba-šu-u*
14. *ša-lu-uš-ta-ša*
15. *i-na-ad-di-ši-im*

TRANSLATION

Eleven gan field, date orchard, of the Uraš-canal, from Eli-erisa, daughter of Naḫi-annum, Taribum has rented. He will take care of the pollination. At the time of date harvest, besides the produce of the orchard of which he took care, he shall give her from one gan of his usufruct (*eḫlum Ka . Gar*) sesame, as much as there is, her one-third.

NOTES

Lines 5 and 6: *libbām sindām inašar*; *libbu* ^{si} *Gišimmari* = lit. the heart, i.e., the crown or leaf tuft of the date palm, which, as we know, constitutes its very life. The above expression is therefore evidently only a circumlocution for *rukkubum*, "he shall take care of (pollinate) the blossoming trees." The same is true of the phrase found above in R23, *a-ra-am zi-na-tum*

i-na-ša-ar. Delitzsch, *HW*, equates *arum* with the date flowers (Dattelblüte). It seems, however, more satisfactory to stay with the $\sqrt{\text{𒀭𒀭}}$ from which the forms *a-ru-u* and *u-ru-u* are derived, which, according to Delitzsch, denote "something done to a tree or forest . . . but what?" *HW*, p. 130. But the most common meaning of the $\sqrt{\text{𒀭𒀭}}$ is *to be or to become pregnant*. Would it be too bold a speculation to venture an answer to the above question of Delitzsch and translate the phrase in question "of the fecundation of the blossoms he shall take care"?

Lines 8-15: They are interesting in so far as they show how the renter was remunerated. The produce (*šukunnum*) of the orchard of which he took care (*i-šakanušu*) evidently went to the owner, but he received the secondary crop, with the exception of one-third of the sesame from one gan, which the landlady demanded for herself. *I-na i-li-im* (besides or above) is mistaken by Schorr for *ina ilipu*, and therefore translated "at the time when the offshoots will bear."—*Babylonische Rechtsurkunden*, p. 191.

In another type of contracts a fixed amount of dates is required as rent for an orchard. In this manner the owner protected himself against any diminished return from his grove through the negligence of the renter. The owner's demand had to be satisfied first, and the rest of the produce remained for the gardener. A contract of this type is represented in

VS, XIII¹³ (Date: Hammurabi 23)

TRANSLITERATION

1. 4½ gur suluppi
2. 2½ gur suluppi (damkuti[?])
3. nap̄sar 6½ gur suluppi É . A
4. 10 billam u-ru-u
5. 10 billam zi-zi-na-tum
6. 2×60+30+1 ^{1/2} gišimmarē
7. billam ^{1/2} kirtim
8. ša ^m mu-na-wi-ir-tum
9. marat na-bi ^{1/2} šamaš
10. ^m ibik-illum(tum)
11. mār i-ku-(un)-bi-ša(?)
12. iṣ-ba-at
13. waraḥ kislimum
14. i-na bāb ga-gi-im
15. giš-bar ^{1/2} šamaš Ni . Ram . E
16. 10 billam u-ru-u
17. 10 billam zi-zi-na-tum
18. la-bi-ir-ta-šu
19. i-na-ad-di-in

TRANSLATION

4½ gur of dates 2½ gur of ——— dates a total of 6½ gur of dates rent. 10 talents of urê. 10 talents of flower clusters (of) 251 date palms, rent of the orchard of Munawirtum, daughter of Nabisamaš, which ———, son of ———, has taken.

In the month of Kislimum, in the gate of the temple compound, he shall pay according to standard measure of the Šamaš temple. Ten talents of urê, ten talents of flower clusters, his former dues, he shall give.

NOTES

Line 3: *Ē . A = šuša*, very likely rent (*Abgabe*). This document, which is designated in the index to VS, XIII, as a *Darlehen* (loan), is nevertheless clearly a contract concerning the rent of an orchard. For similar contracts see VS, VII⁴¹, VS, VII¹⁴⁵, VS, VII¹⁴⁶, Th.D. 226.

Lines 10 f.: Cf. Ranke, *BE*, VI, Pt. I, "Concordance of Proper Names."

In summing up the results of our investigation of Old Babylonian documents pertaining to date culture, it might be stated that the inferences and conclusions of V. Scheil as stated in the introduction have been verified by direct evidence from the Hammurabi period. Above all, artificial pollination was a well-known process, and legally covered by at least two paragraphs of the Code. In other respects the Code gave legal sanction to time-honored customs which had been formed during many centuries in which the inhabitants of the Euphrates-Tigris Delta had enjoyed the blessings of this remarkable tree. Through them a high degree of efficiency was attained, and the interests of both the owner and renter were safeguarded.

SUPPLEMENT

DATE CULTURE AS AN ECONOMIC FACTOR

The date palm possesses in a high degree the love and esteem of those for whom it provides sustenance. The number of uses to which the tree and its products can be put is phenomenal; a Persian poem praises enthusiastically 365 ways in which it proves itself the benefactor of man. Strabo characterizes its usefulness to the Babylonians as follows: "All other wants (besides that of grain) are supplied by the date palm." Assyrian monuments are often picturing their soldiers in the act of cutting down and destroying the date groves of besieged or captured cities. These ruthless warriors

knew that by this act they would deal a death blow to the economic life of their enemies. Another witness to the high esteem in which the date palm was held in ancient Babylonia is the Code itself. See § 59, which decrees that "if a man, without the consent of the owner of an orchard, cut a tree in that man's orchard he shall pay one-half mina of silver." This extremely heavy fine was, of course, calculated to protect this beneficent tree from any would-be despoiler. The temptation to such a theft, no doubt, was very serious in a country which produced no other kind of lumber.

In an attempt to estimate the productivity of Babylonian date groves we are almost entirely dependent upon the material used by Scheil in the article referred to above. The orchard described on the Nippur fragment shows by far the better record. If we disregard the series of trees of 25 ka , for which the number is missing, it would contain 239 trees; the entire number may have been something like 250 trees. With an average of 50 trees per acre the size of the orchard would amount to about five acres, or 600 sar. The total produce of dates, calculated from the scribe's estimate, would be 56½ gur. The record grove on the Umma tablet contains 341 trees with an estimated yield of 26 gur 185 ka . The total for the various groves mentioned on this tablet is 1,332 trees, with an estimated yield of 61 gur 154 ka . The highest yield per tree in the Umma orchards is 60 ka , while in the Nippur grove of the entire number of c. 250 trees there are 104 bearing more than 60 ka , seven trees yielding as high as one gur per tree. The impression which one gains from the Umma tablet is that it deals with young plantations; especially the rather high percentage of unproductive young trees favors this conclusion.

The maximum yield in the Nippur grove is one gur per tree from a series of seven. This would correspond to about 105 kilograms (c. 210 pounds) if the value of the ka is taken to equal .47 liters. Mr. V. Scheil regards this to be an extremely light yield when compared with modern figures, which often show double that amount. Should we, however, accept the value of the ka to be .81 liters, as more recently proposed by Thureau-Dangin (*Revue d'Assyriologie*, 1912, p. 24), then this discrepancy would disappear.¹ On this basis

¹ The writer notices that this value has been accepted by recent French writers on economic topics. It is especially in the realm of agriculture proper that a value higher than .47 liters seems to be almost imperative.

the highest yield would be c. 365 pounds, a figure which would still be very moderate, since, according to Mr. Swingle, a yield of from 400-600 pounds is not infrequent with rich soil and abundant irrigation (*op. cit.*, p. 24).

For the Hammurabi period there is only the above-cited contract VS, XIII¹⁸ that could be drawn upon for making comparisons. The 251 trees mentioned are evidently the number of date palms found in the orchard. If the 6½ gur of dates constitute about two-thirds of the produce, which the owner could legally demand for himself, then the entire yield was estimated about 10 gur of dates, plus the various by-products. This yield equals nearly that of the third lot on the Umma tablet, where 291 trees are estimated with 12 gur 218 ka, which would give for 250 trees an average of a little more than 10 gur.

There is still another way of arriving at an estimate of the economic importance of date culture, namely, by comparing the sales value of farm land with that of date orchards. For this purpose Volume VS, XIII proves a regular storehouse of information, for not less than twelve orchard sales are recorded. Comparing the average sales price of these orchards with the average value of farm lands during this period we will find that the former brought at least double the amount of the latter:

VS, XIII Nu.	Provenience	Date	Amount of Land	Price	Price per 100 Sars
Number 31	Sippar	Hammurabi 40 ?	5 sar	1½ šekels	30 šekels
Number 67	Senkereh	Rim-Sin, Isin 2	100 sar	7½ šekels	7½ šekels
Number 70	Senkereh	Rim-Sin, Isin 2	70 sar	6½ šekels	c. 9½ šekels
Number 74	Senkereh	Rim-Sin, Isin 7	60 sar	6½ šekels	c. 10½ šekels
Number 78	Senkereh	Rim-Sin, Isin 8	31 sar	6½ šekels	c. 20 šekels
Number 80	Senkereh	Rim-Sin, Isin 10	90 sar	21 šekels	23½ šekels
Number 81	Senkereh	Rim-Sin, Isin 12	100 sar	10 šekels	10 šekels
Number 87	Senkereh	Rim-Sin, Isin 20	90 sar	19 šekels	c. 21 šekels
Number 93	Senkereh	Rim-Sin	130 sar	14½ šekels	c. 11 šekels
Number 94	Senkereh	Rim-Sin	230 sar	12 šekels	c. 5 šekels
Number 98	Senkereh	Rim-Sin	200 sar	25 šekels	c. 12½ šekels
Number 99	Senkereh	Rim-Sin	130 sar	14½ šekels	c. 11 šekels

Average price of orchards = 14 šekels per 100 sars
= 252 šekels per 1800 sars

Average price paid for farm lands,
computed from 22 sales = 113½ šekels per 1800 sars































The value of date orchards is therefore more than double that of common farm land.

Critical Notes

CORRECTIONS TO LANGDON'S "SUMERIAN LITURGICAL TEXTS"

These corrections of Langdon's "Sumerian Liturgical Texts" (*Publications of the University of Pennsylvania Museum*, Vol. X, No. 2) are the result of a collation of his texts with the originals in the Museum, undertaken in connection with a study of the material made by the Assyrian seminar of the Graduate School. The importance of the texts justifies, I venture to think, the effort involved to secure a correct text, which is obviously essential for the interpretation of the material.

It is in the hope of making a contribution to the study of Sumerian, our knowledge of which is still imperfect, that I herewith place the result of my work at the disposal of scholars.

1 Obv. I, 2: ; 5 Obv. l. 8: ; *ibid.* l. 12: ; 5 Rev. l. 21: ;
6 Obv. I, l. 26: ; *ibid.* l. 29: ; 6 Obv. III, l. 4: ; *ibid.* l. 9: ;
ibid. l. 20: ; *ibid.* l. 38: ; 6 Rev. I, l. 22: ;
ibid. l. 33: ; 6 Rev. II, 14: ; *ibid.* 15: ; *ibid.* l. 16: ;
              

- L. 8. After second sign add *ra*: *kúr-kúr-ra-ra*.^{*1}
- L. 17. Last signs: *zag-sal*.
- L. 18. Erase dividing line; the whole tablet is ruled.
- L. 19. Read: *bàr-bàr-gè-ne*.
- L. 23. First two signs: *KAL-KAL*. Betewen the *DU* and *NE* add *ub*.

Text 1, Obverse Column III

- L. 1. Sign marked sic! is *ELTEG* (Br. 4445).
- L. 3. Instead of *ligir* the text has *AGA* (Br. 6945).
- L. 5. Second sign is a perfect *GA*. Last clear sign is *SAL*.
- L. 6. Instead of *GAM* read probably *nu*.
- L. 8. First sign is *nun*.
- L. 9. After *an-ki-a* add *PA*.*
- L. 20. After *mu-ra* add *AN*.*
- L. 23. Signs read *gal-gal* and marked sic! are *giš-dš giš-dš*.

Text 1, Reverse Column I

- Ll. 2-6. Sign *GA* marked sic! is perfectly written.
- L. 8. First sign *en*. Before *ga* read *AB-azag-ga*.
- L. 9. *A-ab-ba mu-un-gar* (?) *AB azag-ga*, etc.
- L. 10. *Ab-zu (dingir) ušum-x* (Br. 11208)-*a-gar lù*, etc.
- L. 11. Before *GAN* read *MUL*.
- L. 12. Before *DU-BI* read *-ga-nim-e*. After *DU-BI* read *MUL*.
- L. 13. Read *še-ga-ám* (= *A-AN*) *me-lám-bi*.
- L. 14. Before *sag* add *dingir-gal-gal-e-ne*?
- L. 18. Fourth sign clearly *li*.
- L. 19. First sign is *nun*.
- L. 20. First two signs: *maš-ri*.

Text 1, Reverse Column II

- L. 4. Last signs: *nam-mi-in-du*?
- L. 6. Signs marked sic! are *ša* written over erasure.
- L. 10. After this one more line is missing.
- L. 15. Same as above.
- L. 17. Complete (*dingir*) *en-lil-lá*.

Text 2

- L. 17. After this add line 17a: (*dingir*) *a-ru-ru DI mu-na-du*, etc.
- L. 29. Instead of the sign *KEŠDA* read *i-lu*.
- L. 40. Fifth sign is *al*.*

¹ I have marked with an asterisk those corrections to the copies which seem to have Langdon's approval, since they have been followed in his transliterations. The accents used to distinguish the different signs are the same as those employed by F. Delitzsch in his *Sumerisches Glossar* and *Sumerische Grammatik*.

Text 3¹

Obverse, l. 9. Instead of *ga* read *šd*.

Text 3, Reverse

L. 4. Instead of *mi*, sign is probably *UL*.

L. 8. Sign marked sic! is *IB*.^{*} The upper wedge is the dividing line.

Text 4, Obverse

L. 1. Sign between *uru* and *ba* (omitted in the transliteration) is *IM*.

L. 2. The name of the god is (*dingir*)*nu-muš-da*. Erase extra wedge on sign *kur*.

L. 3. The sign between *nam* and *at* is *ra*. Erase extra wedge on sign *GÊME*. Last sign (*A*) has been erased by the scribe. Line reads: *nitalam-a-ni* (*dingir*)*nam-ra-at gême-šag-ga ir-*, etc.

L. 5. Erase sign *NI*, which is not on tablet.

L. 8. Third sign is *BI*, not *GA*. Instead of *nag* read *kú*.

L. 11. Change *ub* into *te*.^{*}

L. 12. Third sign is very probably *ub*.

L. 15. Fifth sign not *NIGIN*, but *AB*. Instead of *A-E* read *A-KAL*.

L. 16. Change into (*dingir*)*nin-in-si-in-na*.^{*} Instead of *sag-kalam-ma-gè* read *ama-kalam-ma-gè*. Last two signs (*KA-BI*) are very probably *šag-šag*.

Text 4, Reverse

L. 1. Complete text from transliteration. Repeat twice the last sign.^{*}

L. 4. Last sign is clearly *tim*.

L. 5. Instead of *kúr gu-ti-um* read *šir kúr-ra-gè*. Gutium is never mentioned in this tablet (cf. below).

L. 6. First sign not *gu*: might be *še* or numeral *XL*. Third sign mostly destroyed: *URU??* The signs *ša-ba* are very uncertain. The sign after *bal* is destroyed: probably not *bal*.

L. 16. Instead of *lum* read *MUR* (Br. 11190). Instead of *ba-ba-diš* read *ša-ba?-gè*.

Text 5, Obverse

L. 2. First two signs: *KA-AB*.

L. 3. Between *KA* and *NI* one sign is either destroyed or has been erased.

L. 5. Read *dam* instead of *nin*. This and the following two lines are incomplete at the end.

L. 8. Instead of *ki-a* read *ki-šu* (cf. copy).

L. 12. For first sign cf. copy. Second sign is *gtr*.

L. 14. Last sign is *še*.

L. 16. Sign marked sic! is *DUL-DU*, = *ē*.^{*}

¹ Tablet belongs to the Cassite Period.

- L. 17. Instead of word *erasure* place sign *dim*.
- L. 18. Complete third sign into *BAD*.

Text 5, Reverse

- L. 6. After *IM-GAL* read *nam*.
- L. 12. After this add l. 12a: *ur-sag-mu-ne igi-mu RI-RI-Ū-ne.**
- L. 18. Instead of *é-gal* read *ká-gal*. Probably same correction in following line.
- L. 21. Before *DU* read *lil* (cf. copy).
- L. 22. Erase the two wedges marked sic! They belong to the line above.
- L. 24. The sign before *zabar* is *BE*.

Text 6, Obverse Column II

- L. 1. Nothing missing between *te* and *ur*.*
- L. 7. Erase sign between *na* and *zu*.* Latter sign might be *lil*.
- L. 18. Instead of *sal-la* very probably *lul-la*.
- L. 26. The sign after *e* is probably *šu* (cf. copy).
- L. 27. One or two signs missing at the beginning of the line. The sign read *edin* is *URU+GU* (Br. 931).
- L. 28. Instead of *ab* read *tab giš*.
- L. 29. Sign *su* is uncertain (cf. copy).
- L. 33. Instead of *IM* read *UG*. The text clearly distinguishes these two signs.
- L. 34. Same as above. Add *ma* before *nigin*.*
- L. 39. Instead of *IM* read *UG*.

Text 6, Obverse Column III

- L. 4. Last sign not *sil* (cf. copy).
- L. 6. Last sign is *ra* instead of *gè*.
- L. 7. Instead of *IM* read *UG*.
- L. 8. Instead of *kalag* read *e*. Extra wedge belongs to line above.
- L. 9. For first two signs cf. copy. Erase interrogation mark.
- L. 10. Add last sign *la*.*
- L. 12. Instead of *IM* read *UG*.
- L. 14. First sign probably *lugal*. Instead of *gid* read *sud* (Br. 7594).
- L. 20. Erase *tum-ma*. Instead of *tum*, a small *ub*, added later by the scribe. The *ma* might be *da* (cf. copy).
- L. 21. Instead of *IM* read *UG*.
- L. 22. Instead of *keš* read *ĜAR*.
- L. 25. Instead of *IM* read *UG*.
- L. 27. For second sign cf. copy. Last signs: *gu?-ub?-SAL-A*.

- L. 29. Instead of *IM* read *UG*.
- L. 30. Instead of *ri(?)* read *DAR*.
- L. 35. Instead of *IM* read *UG*.
- L. 37. Read *TU* for *SAR*.
- L. 38. Second sign is the šēšig of *lù* (cf. copy).
- L. 41. Third sign probably *gēme*.
- L. 42. Restore: *SAL-UŠ-[DAM]-A-NI*. Last signs: *nin (dingir)*
a-si-[da?].

Text 6, Reverse Column I

- L. 8. First sign clearly *šu*.
- L. 11. Some signs are probably missing between *ga* and *AN*.
- L. 12. Instead of *KEŠDA* (sic!) read *úg*.
- L. 14. Instead of *IM* read *UG*.
- L. 15. After *eš*, traces of the sign *IM*.
- L. 17. Last signs: *dš-kúr-ra ni?-bar-ri*.
- Ll. 19-20. (End) Instead of *BI* read *GA*.
- L. 21. Before *mu-un-til-la-ni* a sign is missing; traces of *nu*.
- L. 22. Instead of *NE* read *BIL*. For last sign cf. copy.
- L. 26. First signs: *nin-TUR-TUR*.
- L. 27. First signs: *lugal-mu*. After *si* read *ir (= A-ŠI)*.
- L. 31. Sign before *ur* is *ki*.
- L. 32. Instead of *NE* read *tú (= KA + LI)*.
- L. 33. Erase interrogation mark after *AN*.* The sign *la* in *e-du-la* is the sign *šd* with a gloss written underneath (cf. copy).
- L. 36. Instead of *IM* read *UG*.
- L. 38. First signs: *šd-E-A*.
- L. 40. Add *ni-ib* after sign *mi*: *mi-ni-ib-ni-ni-e*.*

Text 6, Reverse Column II

- L. 1. Line begins: *[lugal]-la-mu im-ba?-til-la*
- L. 2. Line begins: *. . . . nam-tar-ra ud-III-. . . .*
- L. 6. *. . . . šag?-ga mu-šù (= KU) ba-úg-gi*.
- L. 7. *. . . . bār?-mu uš (= Ê-GÊME, Br. 5515)*.
- L. 10. Last sign is *za* over erasure.
- L. 12. The sign after *dingir-dš* is the šēšig of *DU*.
- L. 14. Instead of *IM* read *UG* (cf. copy for last signs).
- L. 15. Instead of *giš-uz* cf. copy. Instead of *šag* read *na-KAL*.
- L. 16. The first sign is *dīm* instead of *ba*. For last signs cf. copy.
- L. 21. First signs: *da-ad*.
- L. 25. Read: *. . . . -bi nu-mu-til-la-mu*.
- L. 25. Second sign is *lù*.

- L. 28. For the first three signs cf. copy. Probably double *GAM* (Br. 1213).
- L. 29. First signs: *mu tr-ra*.
- L. 30. For third sign cf. copy.
- L. 31. Instead of *IM* read *UG*.
- L. 38. Instead of *giš* read *ma*.

Text 7

No. 7 is a Dublin tablet, and therefore not accessible to me.

Text 8, Column I

- L. 2. Second sign is *zu*. Fifth and eighth signs *lù* instead of *lugal*. The sixth is probably *pad* (Br. 9409).
- L. 3. Instead of *UD* probably *AZAG*.
- L. 5. Sign transliterated *x* is probably *ur*.
- L. 10. Numeral *VIII* is in vertical, not horizontal, wedges.

Text 8, Obverse Column II

- L. 1. Instead of *lal-lal* read *sal-sal*.
- L. 3. Second sign not *ram*, probably *šid* (cf. copy). Instead of *GAL-KU* read *kù* (= *KA+GAR*).
- L. 4. Read *ki* instead of *di*. *USLANU* (Br. 3046) instead of *nun*.
- L. 5. Erase first sign: wedges belong to sign in line above.

Text 8, Reverse Column II

- L. 9. First sign is *GA*. Third is *UD*.
- L. 10. The first sign, instead of *te*, is either numeral *XL* or sign *še*.

Text 9, Obverse Column I

- L. 1. Read *nu-e*.
- L. 2. The first sign is probably *zag*.
- L. 17. Fourth sign is *ama*.
- L. 18. Sign after *a* is *lugal*.

Text 9, Obverse Column II

- L. 6. Instead of *giš-dùr* cf. copy: *aga?*. It is the same sign as rev. col. I, l. 6, first.
- L. 8. After the sign *šú* add *má*.*
- L. 10. Instead of *ma-an-gar* read *ma-gar-gar*.
- L. 20. Instead of *da-maš* read *á-maš*.
- L. 21. Complete sign *KA* (cf. copy).
- L. 23. Last sign not *šag*. Probably *ē* (= *UD-DU*).
- L. 24. Instead of *zi-da* read *zi-uš*. Instead of *lam* read *DUN*.
- L. 25. Read *ŠEŠ-E* instead of *ŠEŠ-GĒ*. Last sign is probably *ga*.

Text 9, Reverse Column I

L. 2. Sign *ga* is doubtful, probably *bi*. Sign marked sic! is not *lam* but *DUN*.

L. 5. Sign marked sic! is an erasure. Erase sign *me* and read *ġe-en-pad-dè-en*.

L. 9. Sign *in* in *gi-in-na* has been erased by the scribe.

L. 20. Second sign is *a*.

Text 9, Reverse Column II

L. 1. Change second sign *mu* into *IM*.

L. 4. Read: *sag-ga-bi ġe-im*.

Ll. 6-7. Erase dividing line.

L. 18. Erase sign between *ir* and *gu*.

L. 21. The two signs after *ē-kūr* are to be united and form the sign *šibir* (Br. 8847) (cf. copy).

Text 10, Obverse

L. 2. Seventh sign is not *dim*, but *ni* written over an erasure.

L. 6. Instead of *nin-kaškala* read sign *ġir* (cf. copy).

Text 10, Reverse

L. 2. *Ġiš-ġi-gal* is right. Correct sign *ġi*.

Text 11, Obverse

L. 1. First *USLANU* (Br. 3046). Erase gunification at the left (!!). Between first and second sign insert *me*.* *Ušumgal* is perfectly written. Cf. note 4 on page 152.

L. 2. Instead of *ti-dul-la* read *igi-ful-la* (Br. 10881).

L. 3. Sign after *la-la* is *ba* instead of *na*.

L. 3. Instead of *an ukkin* read (*dingir*)*ninni*. Under the sign *ka* is written in small character the sign *e*. The last sign is *TIG* instead of *am*.

L. 9. Last signs: *UŠ-UŠ-DAM*.

L. 11. Last sign is *la*.

L. 12. Instead of *KA+NE* read *KA+LI*.

Text 11, Reverse

L. 1. Instead of *da-gál* read *á-gál*.

L. 6. Same as above.

Ll. 6-7. Add sign *NE* at the end of the line.

L. 11. Instead of *KA+NE* read *KA+LI*.

L. 16. Erase sign *i* at the beginning of the line. Same as above. Left edge. For the fourth sign cf. copy.

Text 12, Obverse

The obverse is in two columns.* Col. I, last line, read *ta* instead of *du*. All lines in Col. II are incomplete at the end.

Text 13, Obverse

Ll. 1, 2, 3, and rev. ll. 3, 4, 5, 6, 7, 8, 12, 13, 14: In every instance the last sign is *ta* instead of *ab*.

Text 13, Reverse

- Ll. 2 and 5. Fifth sign is *il*.*
- L. 4. Instead of *šú* very probably *aš*.
- L. 10. Correct sign *li*.*
- L. 11. First part of the line is written over erasure: probably *si* instead of *gè*.

Text 14, Obverse

- L. 2. The first sign is *ama*, not the *šēššig* of *TUN*.
- L. 3. Erase last wedge marked *sic!*. It is the end of the dividing line.
- L. 4. After *nin-gal* the first sign following the determinative for deity is probably *DUN*, not *TUD* or *NIN*.
- L. 5. Instead of *bur* read *GAR*. Following sign might be *gu*.
- L. 7. What is read *še-KU* is one sign. Probably *šar*.
- L. 8. Last sign, instead of *mu*, probably *zi*.
- L. 12. Last sign, instead of *la*, probably *ra*.
- L. 14. Last sign, instead of *gá*, is *geštin*, the same as the third sign in l. 7.
- L. 15. Fifth sign: instead of *am* read *gè*.
- L. 23. Instead of *dim-gal* read *ušumgal*.
- L. 26. The fourth sign is *ku* instead of *DAR* (cf. copy).
- L. 30. The sign *ni* in *mu-ni-tar* is very uncertain. Erase the dividing line here and after l. 33. The whole tablet is lined.

Text 14, Reverse

- L. 5. Instead of *X (MA+GUNU)-ki* read *KA-ŠÚ mu-ne-gál*.
- L. 7. Instead of *TUM* read the common sign *IB*. After the sign *mu* the line is written over erasure: *mu-ni?-dagal*.
- L. 8. Instead of *zid* read *nam: igi-nam-til-la*,
- L. 9. Correct sign after *mu-ni* into *ÍB*. Rest of the sign is an erasure.
- L. 10. Instead of *kalag* read sign *UN*.
- L. 13. Instead of *kaš-e* read *šim*.
- L. 14. Instead of sign *gá* cf. copy.
- L. 20. Instead of *buranun(!)* the first three signs read: *kisal-maš-ga*. The sign *in* has been erased by the scribe.
- L. 23. Instead of *šibir* read *d*.
- L. 26. The first sign is *é* instead of *dag*.
- L. 27. After the heavy line add l. 27a: *sa-gar-*. . (Only one sign is missing.)

Text 15¹

- L. 22. Erase sign *lal* and *lil-ám*.
 L. 24. Sign marked sic! is *RI* written over erasure. After that read:
giš-ki-gál.
 L. 26. Erase sign *me*. After *en* insert two more signs: *giš ?-e ?*.
 L. 27. Read: -*ama ušumgal-an-na*
 L. 28. *kalam-a-ra*

Text 16, Obverse Column I

- L. 3. The sign after *UN* is *ma* (*kalam-ma*). The following is not *ab* but *URU+UD* (Br. 909).
 L. 20. Instead of *mi* read *ši*.

Text 16, Reverse

Change order of columns. Col. I becomes Col. II and vice versa.

Col. I, l. 7, read *ki-bal-a al-tar-*

- L. 15. Last sign is *nam*.
 L. 16. Last sign is *lal*.
 L. 20. First sign is *en*.
 L. 23. First sign is *DUN*.
 L. 31. After sign *al* and before *giš* read three signs: *LUL-A-AN*.
 L. 32. Second sign is *ra*. Follows *ušumgal-A-AN*.
 L. 33. Sign marked sic! and following are to be read: (*giš*)*al-la-ám*
 (= *A+AN*).

Text 16, Reverse Column II

- L. 7. One more line missing between ll. 7 and 10.
 L. 16. Third sign is *lugal*. Last is *e*.
 L. 22. Add sign *LAL* and read: (*dingir*)*en-lil-lá*.
 Left edge. Line is entirely wrong. Cf. copy and read *šid-ù-bi LX-kam*.

Text 17, Column I

- L. 5. Read *an-na* instead of *en-na*.

Text 17, Column II

- L. 6. First sign is *šd*.
 L. 7. Same as above. Next sign *azag*.

Text 18, Obverse

- L. 10. Add *A* after *BAL*.
 L. 13. Last sign is *tim*.
 L. 31. Read *ga* instead of *ga*.

Text 18, Reverse

- L. 33. After *ba-ša-ri* add: *u šalam*.

¹ A late copy of an old tablet.

Text 19, Obverse

- L. 2. Third sign is the *šeššig* of *DU*, same as in l. 5, fourth sign.
- L. 9. Instead of (*dingir*)*en-ki* read *en-na*, without determinative.
- L. 10. Sign before *ši-ni* is *e* instead of *KAL*.
- L. 12. Read *ba* instead of *šar*.
- L. 13. Second sign is *šir*.
- L. 14. Sign between *dīm* and *ba* is *gar*.
- L. 16. Sign between *ta* and *gál* is *nir*.
- L. 17. (End) Sign after *si* is probably *ra* instead of *má*.
- L. 17. Instead of *RU* read *ŠĀ*.
- L. 18. Instead of *A* read *E*.

Text 19, Reverse

- L. 1. Sign *KAK* probably *lù*.
 - L. 4. Fifth sign is *maš*.
 - L. 5. Instead of double *DUMU-DÊŠŠÊKU* (Br. 4139) read *šar-dīm*.
- Sign after *sag* is *gaz*.
- L. 7. First sign: *urudu*.
 - L. 9. Last sign is *ID* instead of *DA*.
 - L. 10. Sign after *nun-bi* is *ZU*. After *AN* is *KU* instead of *ma*.
 - Ll. 11-18. Leave twice as much space for the break.
 - L. 14. Instead of *DĪM* read *UŠ*. Sign following is probably *lù*.
 - L. 18. Read: *mi-ni-in-gar-ri-eš? eš?-dar ni-šag-šag*.
 - L. 19. Read: *ká- . . . -gu maš-bi ba?-šub bád-da?-bi ba-ful*.
 - L. 20. Second sign is *gtr*.
 - L. 22. First two signs: *ušumgal*. Last four signs: *il-il-la-bi*. Rest uncertain.
 - L. 23. Instead of *šir-ri* read *mu-uš*.
 - L. 24. Beginning: *ki-KU-azag*. End: *ŠI-im-bi ba-ful*.
 - L. 25. Last sign *ful*.
 - L. 27. After sign *AN*: *na-šig(=IGI+GUNU)-ga*.

Text 20, Obverse

- L. 1. First sign probably *A*.
- L. 2. Second sign *šé*.
- L. 3. Fourth and fifth signs: *šim*.
- L. 6. After *zagin* read *ib* instead of *LÍL*.
- L. 9. After *ga* and before *AB* add *ZU*.

Text 20, Reverse

- L. 1. Read *la* instead of *šú*.
- L. 13. Sign after *LUL* has been erased by the scribe.

Text 21, Obverse Column I

- L. 4. Second sign probably *kam* instead of *gu*. After *na* only one sign: *nam*.
- L. 9. Second and third signs: *luš-ba*.
- L. 10. Sign before *LID* is *šib*. Last sign is *tu(ku)*.
- L. 11. Instead of *šar* read *in*. Next two signs are *gar-gar*.
- L. 12. Instead of *IM-ŠAR* read *nam*. Rest uncertain.
- L. 16. (End) Instead of *ur* read *lu*. For last sign cf. copy.
- L. 18. After *še-gál-la* the next three signs are *dingir-ri-e-ne*.
- L. 19. Third from last is *dagal*.
- L. 22. Last sign is *ZU*.

Text 21, Obverse Column II

- L. 3. Last sign very probably *IB*.
- L. 7. Sign marked sic! is probably *ak*.
- L. 9. Second sign *kam*. Sixth sign *e*.
- L. 10. Instead of *DI* read *ZU*.
- L. 12. Correct first sign as per copy.
- L. 14. Fourth sign: read *si* instead of *šú*.
- L. 16. Fourth sign is *dagal*.
- L. 17. Last two signs are *te-te*.
- L. 19. (Beginning) *IGI-mu-ta giš-gi*. . . .
- L. 20. (Beginning) *DUMU-DUMU-DEŠŠÊKU* (Br. 4139)-*maš*.

Text 21, Reverse

In the copy the two columns of the original are not separated. To Col. II belong the last three half-lines to the left and the wedge before the sign *mu* in line eight. Much more empty space should be left at the beginning of both columns.

Text 21, Reverse Column I

- L. 2. One sign missing before *gar*. Next sign is *ra*.
- L. 3. *Nu* is the first sign. Instead of *BA-AB* read *ZU-AB(abzu)*.
- L. 4. First sign probably *gan*. Instead of *an-ki* read *an-na*.
- L. 5. Instead of *GÁL-KI-DÚG-A* read *sà* (Br. 2289). Last sign is *la*.
- L. 6. Instead of *é-gal* read *nun-gal*.
- L. 7. Before *sag* read *mu-ZUR* (Br. 9067).
- L. 8. First wedge belongs to Col. II. Signs *mu?-sag?* belong to line above. Instead of *KA-KA-ŠÚ* read *sag-ú-la*.
- L. 11. (End) After *ki-dár* read *me-a-ni*.
- L. 14. Instead of *KU-?* read *di-tar-me*. Erase following sign *ni*, which is not on tablet.
- L. 16. Probably: *dam-šag-ga*.
- Ll. 20-23. Some signs missing at the end.
- L. 21. Read *su-me-ra*.

L. 22. Read *da* instead of *uš*. Two or three lines may be missing at the bottom of the column.

Rev. Col. II: Two-thirds of every line is missing at the beginning.

Text 22

Change Obverse into Reverse and vice versa.

Obv. l. 4. Nothing missing after the sign *sa*.

Ll. 7-11. At the end of these lines some signs are probably missing.

Rev. l. 1. All signs are doubtful.

Text 24, Obverse

L. 5. Seventh sign is *uš* (= *Ē* + *SAL*, Br. 5515). Next sign *ḡ*.

L. 8. Last two signs: *mu-na*.

L. 9. Last sign probably *ta*.

L. 11. Instead of *ta* very probably *al*.

EDWARD CHIERA

UNIVERSITY OF PENNSYLVANIA

THE "WANDERING ARAMAEAN"

For many years the problem of the relationship between the *ḥabbiri* (*SA-GAZ*) of the Amarna Letters and the Hebrews (עִבְרִיִּים) of the Old Testament writings engaged the attention of biblical scholars. We now know that the word *ḥabbiri* (*SA-GAZ*) is not a gentilic but a class noun meaning "plunderer," "Bedouin," and that it was thus used as early as the time of the First Dynasty of Babylon.¹

I am inclined to believe that we have been reading too definite a meaning into another biblical expression descriptive of Israel's ancestors. I refer to the "Syrian ready to perish," "schweifender Aramäer" (אֲרַמֵּי אֲרֻכֵּי) of Deut. 26:5. In commenting on this verse Driver² says: "Jacob is so styled, with intentional disparagement, on account of his foreign connections; his mother's home had been in Aram-Naharaim (Gen. 24:10-24), and he spent himself many years in the same country (Gen. 29-31) in the service of his mother's brother, Laban 'the Aramaean' (Gen. 25:20; 28:5 in P; 31:20-24 in JE), whose two daughters he married." There seems to be unanimity of opinion in this matter on the part of scholars. I am aware that it is somewhat venturesome to offer another interpretation.

On the Taylor Cylinder of Sennacherib, Col. V, 11, we are now able to restore a broken context.³ According to the Assyrian king, there gathered around Shuzubu, the Chaldean, "the fugitive Aramaean, the runaway, the

¹ Cf. my article, "On Israel's Origins," *AJTh*, XXII (1918), 371.

² *Deuteronomy* (ICC), 289.

³ Delitzsch, *Assyrische Lesestücke*, 5th ed.

murderer, and the plunderer" (*Amel Ara[mu] ḥalku munnabtu amir dame ḥabbilu širuššu ipḥuruma*). In the documents from the Cassite Period, *ḥalku* is frequently placed after the names of persons in the employ of the temple. There is no doubt as to its meaning. The persons thus designated are fugitives. *Munnabtu*, a word of frequent occurrence in the cuneiform texts, comes from the root *abātu*, the equivalent of the western אָבַד; cf. אֲרִיבִי אֲבַד. It is another term for "fugitive," "runaway." *Ḥabbilu*, from *ḥabātu*, "to ruin," is closely related to *ḥabāru*, the root from which *ḥabbiru* (cf. *ḥabbiri*, above) is derived.

It is evident that Sennacherib is describing Shuzubu's army as composed of the offscourings of society. One thinks at once of the motley and unsavory crowd that gathered about David at Adullam.¹ Now it is undoubtedly true that Aramaean nomads, "Bedouin," were pushing into lower Babylonia in Sennacherib's day. But *Aramu ḥalku* as used by the Assyrian king in the passage under discussion seems to me to have a very general meaning. Is it not possible that אֲרִיבִי אֲבַד of Deut. 26:5 is likewise nothing more than a general term for "fugitive"? "A roustabout was my father; and he went down into Egypt, and sojourned there, few in number; and he became there a nation, great, mighty, and populous."

D. D. LUCKENBILL

UNIVERSITY OF CHICAGO

¹ I Sam. 22:2.

Book Reviews

A SUMERIAN "URGESCHICHTE"

The fascinating title of Vol. X, No. 1, of the publications of the Babylonian Section of the University Museum at Philadelphia¹ stirs the imagination and forcibly reminds the reader of the race solidarity that should be. Laying aside all predilections, however, the study of this text by a considerable group of eminent Sumerian scholars leaves no reasonable doubt about it: the title is unfortunate, not to say misleading.

This outcome places beyond the scope of this survey the 65 pages of introduction, rich as it is in illustrative material relating to the title; and it confines our attention to the 20 pages of transliterated and translated text, and 2 autographed plates.

Owing to the damaged condition of the tablet, the lacunae are so extensive that the actual theme of the text may long remain a matter of doubt. The unity of the original is scarcely clear from the printed title, and it is much more obscure in the exegesis of the editor. The present writer has suggested a viewpoint from which possibly unity might be secured.² Professor Jastrow's "Sumerian Myths of Beginnings"³ covers the most of its contents.

The correct and complete analysis of the subject-matter is not, however, the primary consideration in a textual volume like the present. The accuracy of the text is the fundamental concern, and there seems to be some need of emphasizing this apparent truism in the present instance. If there is one criticism of the notable work of elucidating this text, it is that theories have sometimes taken precedence over textual facts.

The printed text is confessedly inaccurate. The editor has made numerous modifications in various journals.⁴ More corrections have been made by others,⁵ but the list is nowhere complete or harmonious. The difficulty is more deep-seated. Langdon's own corrections have been made with the confident assertion that they were not considerable enough to shake his first theory of the poem. Divergent readings by others have been made,

¹ *The Sumerian Epic of Paradise, The Flood and The Fall of Man*. By Stephen Langdon. Philadelphia: University Museum, 1915. Pp. 97+5 autographed plates.

² See *JAOS*, XXXIX, 322-28.

³ *AJSL*, XXXIII, 91-144.

⁴ See *JAOS*, XXXVI (1916), 140-45; *AJSL*, XXXIII (1917), 245-49; *ET* (1918), pp. 218 f.

⁵ See especially Jastrow, *AJSL*, XXXIII, 94-95; cf. Chiera's list, above, pp. 232 ff.

more especially where the text appeared to be manifestly against the theory of the title. In the same connection it is not infrequently the case, where the sign value is correctly given by Langdon, that the sign itself is inaccurately reproduced. The sign *gi* is a case in point. It occurs at least seven times on the tablet, in the majority of instances clearly written with two perpendicular wedges, and perhaps it was so intended in all. Langdon with one exception represents it with only one upright wedge, which brings it into partial resemblance to *mdš*. There are many similar phenomena.

Taken as a whole these variations of copying and reading are remarkable and require explanation in so practiced a copyist as the editor. They are readily accounted for when we learn that most of the text was copied from a photographic reproduction. Even a cursory glance at the original makes it evident that nothing short of omniscience could have accomplished what the editor essayed to do.

The first need, therefore, is that the entire text be restudied as a whole and correctly reproduced. No sure progress in the interpretation can be hoped for till that is accomplished—one theory being about as uncertain as another. It is disappointing, therefore, when the editor apparently seeks to shake off the controversy by urging more important tasks. This may be true, but it is safe to say that whoever furnishes a reasonably reliable text of this tablet will perform quite as important a service as the production of the present copy. It may not be amiss to add that the tablet shows many marks of disintegration, which make it imperative that the task be done without too much delay.

It is accordingly not yet feasible to review the text as a whole, and the limitations of space will permit only a limited discussion of details.

Professors Prince¹ and Jastrow² have probably done the most important pioneering work on the poem; and the latter has without doubt made the most brilliant single contribution to the true apprehension of its meaning. In the basic passage, obv. II 24 ff., however, Professor Luckenbill has rightly pointed out³ two of Jastrow's readings that are improbable.

In obv. II 24 *e-a* in Langdon is read *dirig* by Jastrow. Langdon's reproduction of the text at this point is exact even to the representation of the erasure traces underlying the *a* of *e-a*. In addition the scribe shows no marked peculiarities when he employs *dirig* elsewhere; cf. obv. III 9. In obv. II 25 Langdon's *gi* is interpreted as *mdš* by Jastrow. The writing of *gi* is uniform with the exception noted above, which only confirms the reading in this instance. *mdš* itself is made quite differently; cf. obv. I 17.

The first sign in obv. II 25 is, however, incorrectly reproduced by Langdon, but neither in the transcribed text nor the original is Sumerian *d* possible. There is a defect in the tablet near the base and at the left of the upright

¹ See *JAOS*, XXXVI, 90-114, 269-73.

² *JAOS*, XXXVI, 122-35, 274-99; *AJSL*, XXXIII, 91-144.

³ See *AJTh*, XXIII, 103, n. 3.

wedge. There are two, not three, horizontal strokes. There is only one certain diagonal wedge, and when compared with *uš* above and below there seems to be no reasonable doubt that the same character is intended here also.

These changes do not necessarily alter the significance of Jastrow's interpretation; indeed, they may rather enhance it. The objection might be brought against Jastrow's translation, as it stands, that the coitus (cf. obv. II 25) occurs too soon; cf. line 30. Langdon's rendering of *e-a* (obv. II 24) might still stand, but this use of *e* ought not to be pressed till the more usual equivalents have been found to be irrelevant. *e-a* signifies "cohabitation" (*Sumer. Glos.*, pp. 1, 31). *gi* (l. 25), i.e., *ge*, interchanging with *gé*, signifies "turn, bring back, restore," here applied to erection. *kaš* in the same line regularly means "be fiery" (*Sumer. Glos.*, p. 116). Lines 24-26 would accordingly read: "His member of [i.e., for] cohabitation he uncovered. His member he erected. It became violently inflamed. His member, large and firm, he would not draw aside."

In rev. II 44 the third sign has been a matter of some doubt and controversy (cf. *AJSL*, XXXIII, 139, n. 3). The sign consists of two clearly written perpendicular wedges. There is not the slightest trace discernible that would favor the reading *a*. This is a matter of some importance in the rendering of this difficult passage. Most of the renderings proposed would seem to be considerably affected by it, including that of Albright (cf. *JAOS*, XXXIX, 93).¹ Professor T. J. Meek, of Meadville Theological School, was good enough to collate the foregoing passages at the same time that I had that privilege, and he confirms the readings here suggested.

The first sign in rev. II 46 has no tangible resemblance to *gtr* (Langdon), nor is it *šd* (Barton), nor *pi* (Albright). The traces are difficult, but a comparison with *sag* just above shows that they rather readily lend themselves to *ka* 'mouth.' As I try to show elsewhere, this should help to eliminate some possibilities.

I forego a discussion of the elusive character *TAK.KU*. Professor Barton (cf. *AJTh*, XXI, 571 ff.) has thrown the most light on its true nature. Cf. also Langdon (*ET*, XXIX, 22) and Albright (*JAOS*, XXXIX, 80 ff.) (Dr. Albright has assured me in conversation that the true reading of the name has been discovered. The results have not yet been published.)

Langdon's copy is a marvelous piece of work to have been made from a photograph, but the method is, nevertheless, fatal to that fidelity demanded in the reproduction of original documents.

The title, though bordering on the fanciful, has aroused a truly justifiable interest in a work embodying a view of things as instructive as it is naïve, as primitive as it is diverse from the earliest legends of Israel.

LEREOY WATERMAN

UNIVERSITY OF MICHIGAN

¹ For my own proposal see *JAOS*, XXXIX, 322 ff.

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A MATHEMATICAL CUNEIFORM TABLET

By H. F. LUTZ

University of Pennsylvania

CBS 8536, according to the Museum catalogue, was purchased from dealers, who bought the tablet from Arabs. The tablet was possibly unlawfully acquired by them at Nippur or at Abu Hatab. It is splendidly preserved and the writing is deeply cut and easily legible. The reddish-brown tablet measures 130 mm. (width) by 156 mm. (length). Column 1 contains the division of 60,¹ which it carries through, with the exception of 7 up to 10. It then proceeds up to 81, omitting a great number of intermittent divisors. Columns 2 to 12 contain tables of multiplication. The scheme is in every instance the same. It multiplies a number up to 20, followed thence by 30, 40, and 50. Then follows the multiplication of the number with its own self. With the exception of column 3, the succeeding line contains the square of the number of the preceding line. The

¹ Col. 1, l. 1, is not quite clear to me. It is a division, the result of which is 40. The sign, which I read *gal* with a question mark looks more like *bi*. The perpendicular stroke in the sign is not as clearly shown on the tablet as it is on my copy. It must, perhaps, be suppressed.

square is expressed by the sign, which is to be read according to other mathematical texts, which write the word much better than does this text, *ib-di*. Thus column 4, $2025=45^2$; column 6, $1600=40^2$; column 7, $1296=36^2$, etc. In column 2 the scribe has, by mistake, omitted the number 50, read 50^2 . The two last lines contain in each column the division of 3600 by the first number of the column, and that of its result, arriving thus in each instance at the number first given.

The importance of the tablet lies in its use of fractional numbers. Column 5 is most remarkable in that respect. It exhibits a very high state of arithmetical knowledge among the Babylonians, and it is particularly remarkable when we consider the age of the tablet. According to the general style and the writing of the tablet, it cannot be placed later than the Cassite period, but it seems more probable that it goes back even to the First Dynasty period, *ca.* 2000 B.C.

To those who are interested in the way the ancient Babylonians treated the fractions, but who are not acquainted with the fractional system of that people, a few remarks regarding the same seem to be necessary. The fractions are always expressed in terms of sixtieth, or rather three hundred-sixtieth, which were reduced to the simplest fractions, whenever the numerator could be expressed either by the number 1, or else by a number that was one short of the number of the denominator. That is, $\frac{60}{360} = \frac{1}{6}$ (*šuššu* or *šussu*), $\frac{120}{360} = \frac{1}{3}$ (*šuššān*), $\frac{180}{360} = \frac{1}{2}$ (*šunu*), $\frac{240}{360} = \frac{2}{3}$ (*šinipu*), $\frac{300}{360} = \frac{5}{6}$ (*pārab*), $\frac{90}{360} = \frac{1}{4}$ (*rubu*), $\frac{72}{360} = \frac{1}{5}$, etc. In order to express $\frac{1}{9}$ they were compelled to make use of a fraction $\frac{6+18}{360} = \frac{6}{360} + \frac{18}{360}$. Since the Babylonians could not express a fraction in which the numerator was higher than one and two numbers lower than the whole (i.e., $\frac{2}{7}$, $\frac{4}{7}$, $\frac{5}{8}$, $\frac{7}{9}$) they operated in a manner shown in the following example, which is taken from the text (see col. 1, last line: $60 \div 81 = \frac{20}{27}$). In order to express the equivalent of our $\frac{20}{27}$ they were compelled to make use of the fraction:

$$\frac{44\frac{18}{60} + \frac{6+18}{60}}{60} = \frac{44\frac{24}{60}}{60} = 4\frac{43}{60}$$

That is,

$$\frac{60}{81} = \frac{20}{27} \times \frac{60}{60} = \frac{400}{540} = \frac{443}{600} = 4\frac{43}{60}$$

In column 5 we have a multiplication of $44\frac{1}{8} + \frac{1}{9} \times 44\frac{1}{8} + \frac{1}{9}$, the result of which is given correctly as:

$$1975 \frac{18 + \frac{60}{60}}{\frac{60}{60}} = 1975 \frac{18 + 1}{1} = 1976$$

That is,

$$44\frac{1}{8} \times 44\frac{1}{8} = \frac{400}{9} \times \frac{400}{9} = \frac{160000}{81} = 1975\frac{25}{81}$$

Column 1	Column 2	Column 3
... gal(?) - bi 40-4m	1 50	1 48
su a-na gal-bi 30-4m*	2 100	2 96
igi 2 30	3 150	3 144
igi 3 20	4 200	4 192
igi 4 15	5 250	5 240
igi 5 12	6 300	6 288
igi 6 10	7 350	7 336
igi 8† 7½	8 400	8 384
igi 9 6½	9 450	9 432
igi 10 6	10 500	10 480
igi 12 5	11 550	11 528
igi 15 4	12 600	12 576
igi 16 3½	13 650	13 624
igi 18 3¼	14 700	14 672
igi 20 3	15 750	15 720
igi 24 2½	16 800	16 768
igi 25 2¼	17 850	17 816
igi 27‡ 2½ + ½	18 900	18 864
igi 30 2	19 950	19 912
	20 1000	20 960
igi 35 1 52½	30 1500	30 1440
	40 2000	40 1920
igi 36 1½	50 a-na ¶ 50 2500	50 2400
igi 40 1½	2500 = 50*	48 a-na 48 2304
igi 45 1½	igi 50 72	igi 48 75
igi 48 1½	igi 72 50	igi 75 48
igi 50 1½		
igi 54 1½		
igi 60 1		
igi 64 ½ (3)		
igi 72 ½		
igi 80 ½		
igi 81 44½ + ½		
	60	

* 60 + ½ = 30; this is the meaning; the reading of gal is, however, uncertain. su = sušsu, see K. 4378, (D. 88) 15 and Br. 10075.

† Number 7 omitted in tablet.

‡ Tablet reads 28, which must be a mistake. The number demanded by the result is 27.

§ 1 + 1 = 13½
9 + 9 = 60.

|| 35 is a mistake. It should be 32.

¶ The text has throughout an interesting variant of the more common a-ra.

Column 4		Column 5		Column 6	
1	45		44½+½	1	40
2	90	1	44½+½	2	80
3	135	2	88½	3	120
4	180	3	133½	4	160
5	225	4	177½+½†	5	200
6	270	5	222½+½	6	240
7	315	6	266½	7	280
8	360	7	361½	8	320
9	405	8	400	9	360
10	450	10	444½+½	10	400
11	495	11	488½	11	440
12	540	12	533½	12	480
13	585	13	577½+½‡	13	520
14	630	14	622½+½	14	560
15	675	15	666½	15	600
16	720	16	711½§	16	640
17	765	17	755	17	680
18	810	18	800	18	720
19	855	19	844½+½	19	760
20	900	20	888½	20	800
30	1350	30	1333½	30	1200
40	1800	40	1777½+½	40	1600
50	2250	50	2222½+½	50	2000
45 a-na 45		44½+½ a-na 44½+½		40 a-na 40	1600
2025	45*		6+½§	1600	40*
igi	45 80		31+ 60	igi	40 90
igi	80 45*		18+ 60	igi	90 40
		1975	60		
			(44½+½)*		
		igi 44½+½	81		
		igi 81	44½+½		

* Tablet 46.

† Mistake in text, 40 should be in place of 50 and vice versa.

‡ Text reads wrongly, 567½+½.

§ Text reads wrongly, 710½.

Column 7		Column 8		Column 9	
1	36	1	30	1	25
2	72	2	60	2	50
3	108	3	90	3	75
4	144	4	120	4	100
5	180	5	150	5	125
6	216	6	180	6	150
7	252	7	210	7	175
8	288	8	240	8	200
9	324	9	270	9	225
10	360	10	300	10	250
11	396	11	330	11	275
12	432	12	360	12	300
13	468	13	390	13	325
14	504*	14	420	14	350

* Text omits 4.

Column 7			Column 8			Column 9		
15		540	15		450	15		375
16		576	16		480	16		400
17		612	17		510	17		425
18		648	18		540	18		450
19		684	19		570	19		475
20		720	20		600	20		500
30		1080	30		900	30		750†
40		1440	40		1200	40		1000
50		1800	50		1500	50		1250‡
36 a-na 36 1296			30 a-na 30 900			25 a-na 25		
1296	36‡		900	30‡		625	35‡	
lgl	36	100	lgl	30	120	25‡		
lgl	100	36	lgl	120	30	lgl	25	144
						lgl	144	25

† Text wrongly 1110.

‡ Text wrongly 355.

§ The scribe wrote by mistake 35, and after seeing his mistake, placed the correct number 25 on the next line.

Column 10			Column 11			Column 12		
1		24	1		22‡	1		20
2		48	2		45	2		40
3		72	3		67‡	3		60
4		96	4		90	4		80
5		120	5		112‡	5		100
6		144	6		135	6		120
7		168	7		157‡	7		140
8		192	8		180	8		160
9		216	9		202‡†	9		180
10		240	10		225	10		200
11		264	11		247‡	11		220
12		288	12		270	12		240
13		312	13		292‡	13		260
14		336*	14		315	14		280
15		360	15		337‡	15		300
16		384	16		360	16		320
17		408	17		382‡	17		340
18		432	18		405	18		360
19		456	19		427‡	19		380
20		480	20		450	20		400
30		720	30		675	30		600
40		960	40		900	40		800
50		1200	50		1125	50		1000
24 a-na 24			22‡ a-na 22‡			20 a-na 20		
576		576	506‡			566‡‡		
24‡			506‡			386‡‡		
lgl	24	150	22‡‡			20‡		
lgl	150	24	lgl 22‡		160	lgl	20	180
			lgl 160		22‡	lgl	180	20

* 6, i.e., 360 mistake of scribe for 5=300.

† Notice the interesting variant of the writing of ‡.

‡ The numbers can also be read 560‡ and 380‡. Their signification I fail to understand. We should expect 400 in each case.

Col. 1		OBVERSE		Col. 2	

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REVERSE					
Col. 9		Col. 8		Col. 7	
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REVERSE

Col. 12

Col. 11

Col. 10

[illegible]

THE GODDESS OF LIFE AND WISDOM

By W. F. ALBRIGHT

The American School of Archaeology, Jerusalem

I. SIDURI SÂBÎTU

The misty panorama of event and mirage which passes before us in the dawn of human history is lighted here and there by scenes of unusual vividness. Of all the episodes in extant literature which reach the heights of imagination or sound the depths of pathos in so effective a way that they possess undying appeal, none offers a more romantic theme than the search for youth and happiness, none more thrilling than the struggle for power, and none sadder than the final failure. All these motives enter harmoniously into the production of that remarkable work of early Babylonian genius, the Gilgames-epic, which attains its culmination in the hero's vain quest of eternal life. Stricken, it would seem, with blues, despairing of life and in terror of the underworld, whose gloomy secrets have been revealed to him by the shade of his erstwhile companion, Engidu, he turns toward the setting sun, hoping against hope that he may chance upon the abodes of the immortal demigods and quaff life at their tables. Passing beyond the dwellings of men, he undergoes countless hardships in the wilderness, but at last reaches the gate of the sun, guarded by monstrous scorpion-men. The giants, recognizing the divine blood inherited from his mother Ninsun, admit him without demur, and Gilgames finds himself in a dark tunnel, "the road of the sun," through which he trudges for twenty-four hours (twelve *bêrê*). All at once a dim light is visible—a few more paces and he emerges into a garden of dazzling beauty,¹ prototype of the gem-laden orchards of Aladdin (*NE*,² 63, 47–50):

¹ Mackenzie, *Myths of Babylonia and Assyria*, p. 188, has noticed an interesting Hindu parallel to this episode in the journey of the monkey-king, Hanuman, to the seaside palace of the nymph (her characterization as female ascetic is secondary) Parbhavatî.

² Note the following abbreviations: *AJA* = *American Journal of Archaeology*; *AJSL* = *American Journal of Semitic Languages*; *ARW* = *Archiv für Religionswissenschaft*; *BA* = *Beiträge zur Assyriologie*; *CT* = *Cuneiform Tablets*; *GE* = *Gilgames-epic*; *JAOS* = *Journal of the American Oriental Society*; *JBL* = *Journal of Biblical Literature*; *KAT* = *Die Keilinschriften und das Alte Testament*; *KB* = *Keilinschriftliche Bibliothek*;

sámtu našát inibša¹
 iḥunnatum² ullulat ana dagāla šábat
 uknú naši ḥaḥḥalla
 inba naši-ma ana amāri ṣa'āḥ =

Malachite³ grew as its fruit;
 A grapevine hung down, fair to behold;
 Lapis-lazuli grew as clusters of grapes;³
 Fruit grew, dazzling⁴ to see.

It is indeed a picture worthy of an artist's brush; the description is simple but vivid, without the cloying accumulation of riches which meets one in Arab fiction. Precious gems blend with luscious fruit before our eyes; the rich green mass of malachite looks like the luxuriant cluster of grapes; the dark-blue lapis invites to a feast from the edible delicacy by its side.⁵ There were other trees and other gems in the garden, listed in the mutilated lines which follow, but the vine is the centerpiece; in the vineyard sits the nymph Siduri-Sábtu, on the throne of the sea (*kussú támti*^m), with a veil over her head (*kutámi kutumat*).⁶ To her Gilgames turns with his plaint, but receiving no satisfaction inquires the way to the immortal sage Atrahasis. Though her reply is discouraging, the undaunted hero finds means to cross the distant sea and the waters of death which separate the demigod from his mortal children.

NE = Haupt, *Das Babylonische Nimrodepos*; OLZ = *Orientalistische Literaturzeitung*; PSBA = *Proceedings of the Society of Biblical Archaeology*; RA = *Revue d'Assyriologie*; RHR = *Revue de l'Histoire des Religions*; RT = *Recueil des Travaux*; SGI = *Delitzsch, Sumerische Glossar*; ZA = *Zeitschrift für Assyriologie*; ZATW = *Zeitschrift für die Alttestamentliche Wissenschaft*; ZDMG = *Zeitschrift der Deutschen Morgenländischen Gesellschaft*; ZNTW = *Zeitschrift für die Neutestamentliche Wissenschaft*.

¹ The antecedent of the fem. suffix may be *kirá*, 'orchard,' a possibility supported by the traces.

² For the meaning of *sámtu* see the indications, *AJSL*, XXXIV, 230; the evidence for the rendering 'malachite' is convincing.

³ Since *iḥunnatu* (for reading cf. Meissner, *Assyr. Studien*, VI, 33) means 'grapevine,' *ḥaḥḥallu* ought to mean 'grape-cluster,' a conclusion supported by etymological considerations. *Ḥaḥḥallu* stands for **ḥaḥḥaḥḥu*, like *eldu*, 'harvest,' for *eḥdu*; *ildaqqu*, 'shoot,' for **iḥdaqqu*, and corresponds to Ar. *ḥuḥḥa*, 'cluster of grapes left after the vintage,' from the root *ḥaḥḥa*, 'pluck, pick,' also found in Ar. *ḥuḥḥ*, 'reed-hut,' the Assy. *ḥuḥḥu*. Reduplication is very common in names of plants and their parts.

⁴ For *ṣa'āḥ*, 'be brilliant' (root *ṣḥ*, 'shine,' found in Ar. *ṣaḥḥa*, *ṣaḥḥa*, *ṣaḥḥa*, etc.; for the *ḥ*, due to partial assimilation to the *ṣ*, cf. *ṣaḥḥu*, 'cry out' = Ar. *ṣaḥḥa*, and *raḥḥaḥu* = *raḥḥaḥa*), cf., e.g., *Amarna* 1, 98.

⁵ The motive of the gem-laden orchard originated in artificial reproduction of fruit trees, with precious stones in place of fruit.

⁶ The veil implies that she was a virgin; cf. *KAT*, 432, and below.

In my article, "The Babylonian Sage Ut-napišti^m rûqu" (*JAOS*, XXXVIII, 60-65), I have pointed out that Siduri's place in the early Babylonian recension is more independent than in the later Ninevite, and that there is a clear tendency to reduce her rôle in favor of the great deluge-hero. In the older form of the story Gilgames asks her directly for the gift of life; the perilous journey to the Mouth of the Rivers, the home of Ut-napišti^m, appears only as a *dernier ressort*. Elsewhere¹—see also below—I will show that the visit of Gilgames to Siduri parallels to a certain extent the expedition of Lugalbanda to the beer-goddess Siris on Mount Sâbu, and was, therefore, primarily independent of the episode of Ut-napišti^m. If Siduri was in one story the goal of the hero's quest of life, she must have been regarded as the goddess or nymph in whose hands lay its disposal, or, to employ the universally known symbolism, as the keeper of the fruit of life and the fountain of life. In the incantatory series, *Šurpu*, II, 172, she is called 'goddess of wisdom, genius of life' ("Šiduri liptur "Ištar nîmêqi "lamassi balâti), and in a late Assyrian letter (Harper, V, 476, 20) her name occurs between Anunit, a name of Ištar as queen of heaven (consort of Anu), and Mummu, god of wisdom.

The throne of the sea, if correct, as probable, is a very curious detail, which may point, as Jensen thinks, to syncretism with Ba'alat of Byblos, whom the Phoenicians identified with Ištar, as is established by the fact that in the Amarna period her consort is Damu (Tammuz).² Long before this time the Egyptian Isis had been identified with her as Ḥathor of Byblos, and Byblos had been attracted into the Osiris myth. We may even find an Egypto-Phoenician parallel to the throne of the sea in an Astarte legend from a papyrus of the New Kingdom (Spiegelberg, *PSBA*, XXIV, 41 ff.). Like Siduri, Astarte sits on the seashore (p. 44, 1, 4: *iṣ ḥmstî hr tst p3im*), where she receives a throne (p. 47, 1, 3: *iṣ hr dîṯ nš t3îš tšbt*). Spiegelberg suggests that Astarte was considered the lady of the ocean (*hnt ṽ3d-yr*), like Neit of Sais; cf. also the similar figure of *Išhara tâmti^m*, 'Išhara of the sea.' The throne motive may

¹ For the present see especially my article "Gilgames and Engidu, Mesopotamian Genit of Fecundity," appearing in *JAOS*.

² Cf. Schröder, *OLZ*, XVIII, 291 f.

perhaps be traced in Harrân at a much later date.¹ Another possibility will be discussed below, in connection with the story of Kalypso.

To Jensen we owe another important identification, with the nymph Kalypso of the *Odyssey*. While such comparisons usually awaken distrust, in this case Jensen appears to be correct, as will presently appear. On an island in the far western ocean² resides the beautiful nymph Kalypso, whose name is connected with the virginal *καλύπτρα* (*Odyssey* v. 232), in which she veils her head, like Siduri. Like Ištar, she sits at the loom, singing as she weaves (*ἀοιδιάουσι' ὅπρι καλῇ*; Ištar is the *šabat rigma*). She dwells in a grotto, surrounded by luxuriant, grape-laden vines (v. 68 f.):

ἡ δ' αὐτοῦ τετάνυστο περὶ σπείους γλαφυροῖο
ἡμερὶς ἡβώουσα, τεθῆλει δὲ σταφυλῆσι.

Like Siduri again,³ Kalypso's home is located at the source of the four streams (v. 70 f.):⁴

κρῆναι δ' ἐξείης πύσσυρες ῥέον ὕδατι λευκῷ
πλησίου ἀλλήλων τετραμμένα ἀλλυδὶς ἄλλη.

Finally, most significant of all, Kalypso is able to bestow immortality, which can otherwise be obtained only through a draft of the celestial ambrosia (Sk. *amṛta*, 'deathless'), vouchsafed by Zeus. Even Apollo and Aphrodite cannot save their favorites from death. Yet Kalypso offers Odysseus the priceless boon (v. 135 f.):

ἔφασκον
θήσειν ἀθάνατον καὶ ἀγήρων ἥματα πάντα.

¹ En-Nedim (ed. Flügel, p. 325), in describing the gods of Harrân, says of the goddess حساب (?), apparently a name of ربة الثل = *ἡ ἱερὰ Περση*, the virgin mother of the twins Tammuz and Balti (= Belti, i.e., *Madonna*, name of the Ištar of Erech), *kāna laḥā sittalū 'aradhiṣ sartra* (so I would read; B has *sartra*, A has *šartratiṣ*, 'evil') *makdnat tayagḡahu bihim 'ilā sḥili 'lbaḥri* = '(who) had six spirits as a throne, and used to go with them to the shore of the sea.' The appellation "Persian" indicates perhaps, if not simply a corruption, that there has been conflation with the Iranian water-goddess Ardvistūra Anāhita. The Harrânians are also said to have celebrated a festival of the 'daughter of the waters,' who is represented apparently on local coins.

² *Odyssey* v. 277; in sailing homeward Odysseus must keep the Great Bear on his left; cf. also Kranz, *Hermes*, L (1915), 92 ff., and Gruppe, *Griech. Myth.*, p. 394, n. 6.

³ For the geographical localization of Siduri's abode see my article, "The Mouth of the Rivers," *AJSL*, XXXV, 161-95.

⁴ It may also be noted that her island is the 'navel of the sea' (*ὀμφαλὸς θαλάσσης*) *Odyssey* i. 50. Since the *ὀμφαλός* stone is often the seat of the god (Apollo at Delphi)—see Roscher, *Omphalos*, pp. 51, 53, 63, 91 f., 95 ff.—it seems not unlikely that this conception is older than the puzzling *kussā idmti*, especially in view of the common fancy that the waters issue from the navel of the earth (cf. Hoffmann, *ZA*, XI, 273), as well as from beneath the throne of god (Osiris or Theos; see my article in *AJSL*). More cannot be said at present.

The story of Kalypso, therefore, produces a foreign impression upon the reader. According to most Homeric critics (cf. Immisch in Roscher, *s.v.* "Kalypso"), the episode styled by the rhapsodists *Καλυψοῦς ἄντρον* is quite independent of the rest of the narrative; since she is not an "in Volksglauben und Sage lebendig wurzelnde Gestalt," she is supposed to be a poetic fiction modeled after Kirke. The foregoing comparison will show that she is not a "poetic fiction" of the Hellenes, and it will be pointed out below that the story has been imported from Anatolia—nymph, scenery, and all.

How did this enigmatic figure originate? The characteristics of Siduri-Sābtu as analyzed place her in the cycle revolving about Tammuz and Ištar, where we find virgin-goddesses and deities of wisdom and healing, vine-goddesses and genii of life. Nor have we far to seek. The name *S(Š)iduri* cannot be separated from *Sirtur* (*Ze-ir-tu-ur*, *Sir-du*), mother of Tammuz; the first *r* has been dropped by dissimilation. Unfortunately we know nothing directly about this divinity except her name, which means 'maid, virgin,'¹ a very significant fact. While the circumstance that Tammuz' mother, like the mother of Dusares, was supposed to be a virgin is only what should be expected, in view of the countless parallels of more or less rigor, a few words regarding the original conception may not be out of place.²

Among most ancient peoples the source of fertility was traced to a marriage between father-heaven and mother-earth, or between the god of the fecundizing inundation and the goddess of the earth. According to this conception the goddess lost her virginity in becoming pregnant with terrestrial life. However, another set of ideas was grafted on, producing that marvelous cycle of myths which we associate with Adonis and Aphrodite. In lands where the date palm flourished, as in Babylonia, there was a sharp differentiation between unisexual and bisexual vegetation. Consequently, the sense

¹ The name *Šiduri* is explained (II R 32, 27cd) as *ardatu*, 'maiden.' *Sir-tur* evidently is a word like *kal-tur*, 'young man, boy' (*batālu*), and *ki-el-tur*, 'girl,' from *ki-el = ardatu*; *sir, šer* is the proper reading of *EZEN = kurummatu*, 'womb, uterus' (*JAOS*, XXXIX, 69), used for 'woman' like Sum. *sal* or *gēme*, 'womb.'

² The following treatment will be as terse as practicable; I am presenting the results of studies on the cycle of Tammuz and Ištar in a number of articles, in advance of the translations of the pertinent cuneiform texts in a volume to appear in the "Yale Oriental Series."

of the sexuality of plant life, common everywhere, was very strongly accentuated. Bisexual plants, which bore their own seed, were regarded as androgynous or parthenogenetic. Hence the divinities of vegetation were similarly fancied; both Tammuz and Ištar were often androgynous; the bearded Ištar (=masculine 'Aštar) is well known; the planet Venus was male in the morning, and female at night. Similarly, several of the names of Tammuz are feminine—in short, these gods of fertility are practically interchangeable when considered in the light of their entire history and not in too narrow a scope. The stalk of grain might be a virgin, who produced her grain-child without direct fecundation (Kore, daughter of Demeter, mother-earth; Jephthah's daughter),¹ or it might be a youth, in which case reaping became castration. We must remember that the stalk was severed with a short sickle just below the ear, and that the latter was associated with the male member.² Hence vegetation always springs from the severed members of Attis and his congeners. The idea of hermaphroditism was too abnormal to prevail, and so remained very rare, being replaced by the conception of intimately related individuals of opposite sex, usually brother and sister, especially since the god of fertility and his spouse were also often thought to be the progenitors of the race.³ But with a primitive *naïveté* of logic, which was, none the less, rigorous, the virgin sister had to become the brother's mother, and so the brother becomes his own father. We need not assume, as has often been done, that these conceptions go back to a period of sexual promiscuity; they may naturally be referred to the observation of the apparent phenomena of plant (and animal) life, whose reproductive processes were of vital economic significance, and were accordingly the center of elaborate religio-magical rites and beliefs. Now we can see how Bitis and Sabazios can become their own fathers, why Amôn and Min are

¹ Cf. *JBL*, XXXVII, 120. The virginal idea originated partly in the grain stalk itself, conceived as a virgin (cf. *ῥαπίδος* and *ῥαπίδος*; *virgo* and *virga*; *Wörter und Sachen*, I, 44), but mainly as a transferred attribute from mother-earth, who was a virgin until plowed and irrigated. All these motives are almost inextricably intertwined.

² The association of ideas is illustrated by Mehri *senbell*, 'male member,' identical with *šubultu*, *sunbula*, 'ear of grain,' in the other languages. The reaping of the ear is the ultimate source of the castration of the god of fertility, the social and animal applications (*JBL*, XXXVII, 124), as well as the astral (*JAOs*, XXXIX, 88), being secondary.

³ Like the god of fertility, the archetype man was often considered as hermaphrodite; cf. Iranian Mašya and Mašyô in the *risas* plant.

called by the remarkable title, 'bull of his mother,' and Joseph 'first-born of his bull' (i.e., bull, born of himself),¹ and why Tammuz receives the liturgic appellation 'brother of (his) mother, Mutin-anna (litanic form of Geštin-anna).'² The most drastic, and at the same time instructive, form of the myth is found in Phrygia. Zeus-Sabazios, the ram-god of fertility, consorts with mother-earth in the form of a bull. After ten months she bears Kore, whom her father later approaches as a serpent, causing her to become pregnant with a bull-like son (Sabazios himself). This process was liturgically expressed by the formula ταῦρος πατήρ δράκοντος καὶ πατήρ ταύρου δράκων (Roscher, s.v. "Sabazios," IV, 252 f.).

It is not, therefore, surprising to find the goddess of fertility both mother, sister, and wife of Tammuz, or even identified with him. Regularly, however, these functions are divided among the various related types of the goddess, Sirtur becoming the mother of the god, Geštin-anna (whom the Semites called Bêlit-çêri, 'lady of the underworld,'³ alluding to her chthonic aspects), his sister and wife (also his mother; see above), while Ama-geštin-anna, a longer name of the preceding, is identified with him! As 'the virgin,' Siduri (Sirtur), is thus properly an appellation of Ama-geštin-anna, 'the mother-vine of heaven,' it becomes immediately clear that the vineyard of the former is not a casual ornament, but is her rightful estate as goddess of the vine. The characteristics of ancient myths do not spring from the pure *Lust zum Fabulieren* of a poetic fancy, but are sparingly selected from available religio-magical motives, ordinarily with an economic basis.⁴

How are we to explain the figure of Geštin-anna, the vine of heaven?⁵ Most mother-goddesses with whom we are acquainted represent the earth or the moon. Egyptian Nût, however, is a woman or a cow whose teats drip fertility, and who lies locked in

¹ See *JBL*, XXXVII, 118.

² Most of the cases of fecundizing incest (*JBL*, XXXVII, 117, n. 3) occur in connection with gods of animal husbandry for obvious reasons; in the Tammuz liturgy the lamb consorts with the ewe, his mother (see Witzel, *RA*, X, 159, 164).

³ Sum. *edin* = çtru is employed like Eg. *imti*, 'west, underworld'; see *AJSL*, XXXV, 171, n. 2.

⁴ Wundt's theory of the myth is inadmissible, though his views are useful as a corrective to the older schools of comparative mythology.

⁵ Langdon's hypothesis, as set forth in *Tammuz and Ishtar*, p. 43, is interesting, but is based on too speculative assumptions, and so is not convincing.

close embrace with her consort, the earth-god Gbb,¹ until Šu, the god of the air, separates them. It is true that this pair does not figure much in the cult, but ethnic parallels which may be adduced show that we are not dealing with a crude philosophy of comparatively late origin, as seems to be assumed quite generally now, but with a fossil bit of exceedingly primitive mythology. Geštin-anna is not properly heaven itself, but the fertility which it exudes. We are, fortunately, in a position to determine the meaning of the vine in her cult, thanks to Anatolian and Mandaean parallels, and to the analogy of the Indo-Iranian *sōma-haoma*. West of Armenia the vine is the center of the cult, eastward it is the *sōma* around which myth and liturgy revolve. As sources of exhilaration and inspiration, their rôles are so similar that when Mithraism passed Azarbaïḡan on its conquering road toward the Mediterranean, the vine automatically replaced the traditional *haoma*. In the Vêda the *sōma*-plant is the source of rain,² whence it is identified with the moon, regarded by all peoples as the source of rain, κατ' ἑξοχῆν. Naturally the moon is also regarded as the bowl of *sōma*, which spills the fertilizing rain over the earth. The same notion that the cosmic plant of life is the source of water appears explicitly in the Mandaean

¹ The character of Nūt and Šu is assured, both iconographically and etymologically; Gbb is fixed etymologically by Ember's happy combination with Ar. ḡabb, 'clod, soil, earth.'

² See Hillebrandt, *Vedische Mythologie*, passim. Myths of the same character show that the *ἄμβροτα* was also the symbol of the reviving rains; cf. *Odyssey* xii. 62 ff., where the seven doves (πτερά) are the Pleiades, connected intimately in western Asia and the Aegean with rainfall (cf. Roscher, *Die Zahl Viersig* [Abh. Kön. Sachs. Ak. Wiss. Phil.-hist. Klass., Vol. XXVII], pp. 124 ff.; cf. also the Arabic name of the constellation, *Turajid*, from *ṭrd*, 'be moist,' and the Assyr. *Çappu*, lit. 'inundation' [Kugler, *Sternkunde*, II, 152 f.]), who carry the ambrosia to Zeus, losing one of their number (the seventh Pleiad) on the way, just as the storm-eagle *Garuḍa* (the Babylonian equivalents Im-dugud and Zû both mean 'storm'; see below) carries the *sōma* or *amṛta* in India. So also Odin steals the mead of wisdom in the form of a serpent (see below), and flies away with it as an eagle. Zeus abducts his cupbearer, Ganymede, in the guise of an eagle, giving Laomedon, father of the latter, a golden vine in recompense for his son; here the Anatolian sacred plant, the vine, appears as the source of ambrosia. In a whole series of myths, first explained by Kuhn in his pioneer work, *Die Herabkunft des Feuers und des Göttertranks* (cf. also Bloomfield, *JAOs*, XVI, 1-24), still classical, though somewhat antiquated, the storm cloud is a gigantic bird, carrying a load of rain, which the bolts of the storm-god (see below) compel it to disgorge. These birds are sometimes combined with other rain-giving heavenly bodies, especially the moon and the Pleiades, birds being, moreover, regarded as the messengers of the gods. In ceremonies or charms concerned with the production of fertility, the rain is praised as the celestial nectar, the exhilarating draft of gods and men, renewing life. Finally, the *sōma* motive is associated with the supposed immortality of the eagle, a belief derived from its periodic molting (cf. Morgenstern, *ZA*, XXIX, 294 f.).

system, which contains many very primitive Mesopotamian and Anatolian conceptions, worked into a unique cosmology and cosmogony. In Mandaean symbolism the vine (*gufnā*)¹ is the incorporation of light, wisdom, and purity; the archetype (*qadmāiā*) vine is in the storehouse² of the upper world. The interior of the vine is water, its foliage is formed by the spirits of light, and its tendrils are beams of light.³ From it flow the rivers, bearing holy water to provide sustenance for man. The god of light and wisdom, the Savior, *Mandā d'haijē* (see below), is himself identified with the vine of life (*gufnā d'haijē*). The underlying mythological nucleus is the conception that the vine is the world-tree, a plant capable of encircling heaven, whose fruit the stars are. Both the Mandaeans and the Manichaeans believed in the heavenly ocean, upon which the solar and lunar barks were fancied to float. The idea evidently had taken deep root somewhere in Mesopotamia, to reappear after the debacle of the old culture.

The close relation that exists between the *sōma* motive—as we may call the association between the fertilizing rain and the popular beverage—and the cycle of Geštin-anna will appear strikingly on comparing her doublet, Siduri, with Ninkasi. The latter, whose name means 'mistress of the intoxicating fruit' (Sum. *ka* = 'fruit,' as in *si kageštin* = *iḫunnatu* [see above], and *si*, 'be full,' also = *šakāru*, 'be intoxicated'), is the consort of *PA-GEŠTIN-DUG* (= 'the good vinestalk'),⁴ receiving in this capacity the name *ŠĀ-BIL* (= 'the one who causes burning,' i.e., Dame Alcohol), and the mother of nine children,⁵ the first of whom is Siris,

¹ Cf. especially Brandt, *Mandäische Religion*, p. 63.

² For this conception see *JAOS*, XXXIX, 71 f.

³ The cosmological system of the Mandaeans seems to contain much more of this symbolism than is generally recognized. The fruit (*pirā*) of the vine is the world and its parts (*mānē*); its luxuriance is hypostatized as the spirits (*utrē*) who execute the commands of *Mandā d'haijē*. He himself is the soul of the cosmic vine, "whose root is water," i.e., which springs from water as the first principle—excellent Babylonian doctrine (see below).

⁴ For these data see *CT*, XXIV, 10, 22 ff., and cf. Langdon, *Sumerian Liturgical Texts*, pp. 143 ff.

⁵ Their names are *ŠEM*, *ŠEM + KAŠ* (*KAŠ* = *šikaru*, 'distilled liquor'), *ŠEM-KAŠ-GIG* (*GIG* = 'dark, black'), *ME-ĜUŠ* (a *bahuvrihi* compound, meaning 'possessor of awe-inspiring revelations'), *ME-KUG* ('possessor of pure revelations'), *EME-TEG* ('possessor of eloquent tongue'), *KI-DUR-KA-ZAL* ('the abode of festivity'; *ka-zal* = *tašlūtu*), *NU-SILIG-GA* ('the image of prosperity'—evidently alluding to the fictitious glow of well-being created by alcohol), and *Nin-mada*, 'lord of the land,' who seems to

'beer,' with the ideogram $\check{S}EM = KA\check{S} + I\check{S}$, 'intoxicating drink of the mountains,' i.e., 'beer,' always considered a barbarous liquor by the cultivated peoples of the Mediterranean region; Xenophon (*Anab.* iv. 5. 26 f.) found it among the Armenian mountaineers.² Since $\check{S}EM$ means 'aromatic plant' (Bab. *riqqu* = Heb. *rêqah*, 'spiced wine'), it is probable that it refers, among other things, to the *haoma* plant, supposed to be *Asclepias acida* or *Sarcostemma viminalis*, and to the beverage prepared from it. *Sirts* was probably employed in at least as wide a sense as our own 'beer,' to include almost any intoxicating drink not made from the vine or the date palm. The goddess *Sirts* is sometimes identified with *Ninkasi* (see below), and sometimes regarded as her daughter, in accord with her more restricted scope of action. From a hymn in honor of *Ninkasi*, published by Zimmern,³ we learn that she was the daughter of *Nin-til* (i.e., 'mistress of life,' like *Siduri*), queen of the *apsû* (the subterranean fresh-water ocean), and of *Enki* (*Ea*), its king. She is glorified as the spirit of fire and intoxicating liquor (see *Agni* and *Sôma*); her libations mingle with the waters of the Tigris and Euphrates, giving them the power of fertility—a species of sympathetic magic. *Ninkasi* is also an appellation (Langdon, *Sumerian Liturgical Texts*, p. 144) of *⁴Kaš-tin-nam*, but Langdon is certainly mistaken in identifying the latter with *⁴Geštin-an-na* ('vine of heaven'), as her name has an entirely different meaning, 'liquor which fixes (the destiny of) life.' In character,

have been a god of sacrifice; to the references given by Langdon add Reisner, No. 48, rev. 5. *Umun-ma-da šub-bi an-na* = 'U. who prays heaven.' The nine are called *ilimmu-dm dumu-meš* *⁴Nin-ka-si-gè muš-lalaḡ* (*SGI*, 284) *-e-ne an-na-gè* = 'the nine children of *Ninkasi*, the snake-charmers (name of a class of temple priests) of Heaven.'

¹ For *sirtu* and $\check{S}EM$, 'beer,' cf. Hrozný, *OLZ*, XVII, 201 f., XVIII, 40 f., and especially Haupt, in a paper to have appeared in the *Vienna Oriental Journal* (for the present see *Johns Hopkins Univ. Circulars*, XXXV [1916], 694 f.).

² Cf. Hrozný, *OLZ*, V, 141. Meyer, *Chetiv*, p. 55, shows a Hittite cylinder from the third millennium, representing two seated figures, with the characteristic Hittite queue, drinking beer from a jar through long reeds, just as described by Xenophon. Above them the lunar bowl hovers, with arms stretched out toward the beer guzzlers, while beneath a serpent crawls. As the scene is common on early cylinders (cf. Ward, *Seal Cylinders of Western Asia*, Nos. 83–88), it must have a sympathetic magical or mythological significance (as do many of these representations). The moon may be explained on the analogy of the *sôma* motive (a shrub which appears at one side, in the Hittite cylinder, may be the source of the beverage). It is curious to note from a comparison of these cylinders with Ward, No. 900 (the "temptation" scene), that the motive became misunderstood and was even amalgamated with the tree of life.

³ *Sumerische Kultlieder*, No. 14; for translation cf. Prince, *AJSL*, XXXIII, 40 ff.

however, the two are evidently very similar; Kastinnam is goddess of life, like Siduri and Ninkasi's mother, Nintil.

After the foregoing remarks we shall not be surprised to find Ninkasi figuring in a myth of the *sôma* type. As I have treated the myth of Lugalbanda and Zû in another article,¹ it will not be necessary to devote space to it here. The gigantic bird Im-dugud (Semitic Zû, both meaning 'storm'; see note above), who corresponds to the Iranian Saēna or Sîmurgh and the Indian Garuḍa, all of whom are zoologically eagles,² carries off the tablets of fate, powerful amulets by means of which the gods maintain their positions as lords of the universe (cf. the story of Thor's hammer). To recover the *dupšimāti* the gods finally delegate Lugalbanda, the sun-god of Marad, who goes north to Mount Masius,³ where Zû nests, and with the help of the wise Ninkasi (Sîris) succeeds in intoxicating the bird and regaining the tablets.⁴ The goddess lives on Mount Sâbu, probably one of the Armenian mountains, and is introduced to us as 'the wise woman, the mother who is versed in banquets'⁵ (CT, XV, 41, 24: *gême-tug-tug dagar-ra me-le-gar* = *sinništu itpištu, ummu ša ana simāti šaknat*); the mention of her name is sufficient signal for a poetic outburst in praise of wine:

ina šikar izzazû tašlâti
ina šikar uššabû rîšâti =
 In brandy⁶ abides joy;
 In brandy dwells rejoicing.⁷

¹ "Gilgames and Engidu," appearing in *JAOS*.

² Mythically these monsters, the prototypes of the Phoenix and Rubb, have been confounded with the cosmological dragons of all Asiatic peoples, whose origin I will treat elsewhere. This is very evident in Mas 'ûdi (ed. Barbier de Meynard, I, 263 ff.), who says that the *tiann*, 'water-spout' (supposed to be a dragon; *tiann* is Heb. *tannin*, 'sea-monster'), lives five hundred years, the Phoenix period. The *tiann* has also fallen heir (p. 268) to the seven-headed *mufruišu* of Babylonia.

³ In *AJSL*, XXXV, 179, it is shown that the Sum. Ġašur (CT, XV, 43, 1) is Assy. Kašîarî, Mount Masius, the southernmost of the Armenian ranges. Just as Zû lives on Masius, so Saēna nests on Harâ Berezaîti, Garuḍa on Mēru, and, it may be added, the eagle of Zeus on Olympus.

⁴ For the proof see tentatively my article, "Gilgames and Engidu." A translation of the available fragments of the Lugalbanda cycle is in preparation.

⁵ Cf. Hrozný, *OLZ*, V, 139 f.; *simtu* is a synonym of *takultu*, used in our text (l. 19) for 'feast.'

⁶ Assy. *šikaru* and Heb. *šikâr* refer, as Haupt has shown, to distilled liquor in general; he has suggested 'brandy' as a convenient rendering, though a little too specific.

⁷ Cf. Psalm 104:15, "Wine, which rejoices the heart of man," and Judg. 9:13, "Must rejoices gods and men."

I shall demonstrate elsewhere that this story has arisen from the fusion of two myths. Upon the primary motive, the struggle between the monster of chaos and the sun-god, has been grafted the myth of the seizure of the divine drink, under the guardianship of the goddess of alcohol, by the thunder-eagle, who bestows it in the form of rain upon the thirsty land;¹ the similarity of this to the Garuḍa myth, as recounted in the beginning of the *Mahābhārata*, is evident. The second motive is the one interesting us at present, since it shows unmistakably that our divinities are associated with myths of the *sōma* type. This is true not only of Ninkasi but also of Siduri, whose appellation *Sābtu* must be explained as a gentilic from Sābu, the residence of Ninkasi. Mythologically the two deities are equivalent, as follows from the fact that their rôles in the Gilgames and the Lugalbanda cycles are closely related (the evidence is given in my article mentioned above; contrast ZA, XXXII, 169).

Why were the homes of these wine-deities localized on Mount Sābu? While it is undeniably hard to explain the origin of geographical nomenclature in mythology, in some cases it is quite possible. After countless etiological myths had arisen explaining geographical terms, the ingenuity of mythopoeists of a later generation began applying the principle to the embellishment of other myths. Thus Mount Niḡir in Kurdistān was probably selected as the place of landing of the Babylonian ark not only because of its height but also with reference to the fancied derivation of the name from *naḡaru*, 'protect, save.' An excellent explanation of the same nature is at hand for the localization of the home of the wine-goddess on Mount Sābu: *sabū* means 'drink wine' (𐎶𐎶𐎵),² whence *sabū*, 'wine' (Ar. *sibā'*), and *sābū*, 'tippler' (Heb. *sōbē*), corresponding to Sum. *lù-kaš-šām-šām* (SGL 279), lit. 'one who buys much liquor,' synonym of *lù-kaš-si-si-ki*, 'a man who becomes habitually intoxicated,' Assy. *šakarū* (=Ar. *sakrā* or *sakrān*); *sibū* is 'wine-dealer' (Ar. *sābi'* or *sabbā'*), Sum. *lù-geština* (lit. 'man of wine'). Mount Sābu was probably the name of a real mountain in southern Armenia or the vicinity, beyond Hašur = Kaširi-Masius, the home of Zū. The city of Sabu^m, perhaps lying eastward of Babylonia, mentioned in

¹ Or disgorges it under the bolts of the thunder-god; see above.

² Hardly 'deal in wine,' like Ar. *sabbā*, *sabbā'a*, 'buy wine to drink.'

Babylonian texts of the third millennium, can hardly have any connection with our Sâbu, nor is it probable that the Anatolian wine-god Sabos (see below) derived his name from the mountain, or conversely.

It is not an accident that the home of Sâbîtu is placed in the northern mountains, which have been from time immemorial the paradise of the vine. Cuneiform lists of the most renowned vintages refer us to Syria and northern Mesopotamia, whence, in Herodotos' time (Herod. i. 194), rafts laden with their precious cargo of wine floated down the river to Babylonia, just as they doubtless had done from the early period. In very ancient times, it is true, the vine grew in lower Babylonia,¹ in Arabia,² and even in Egypt,³ but viticulture was even then being banished by the rise in temperature which has accompanied the progressive desiccation of these lands, a fact now definitely established by the researches of Ellsworth Huntington. At present the southern boundary of the vineyard zone is said to run through Bakuba, northeast of Bagdâd.⁴ Viniculture never played a part of any importance among the industries of Babylonia. The mythological significance of the vine need not, however, surprise us, as we have outgrown the chimera of a southern origin of the Sumerians. It would be rash now to affirm that Eridu,⁵ originally on the Persian Gulf, though settled in Neolithic times (cf. *JAOS*, XXXIX, 127 ff.), is older than Aššur, where the *Deutsche Orient-Gesellschaft* found a prehistoric Sumerian stratum. Since such place-names as *Harrân* and *Hâbûr*⁶ are Sumerian, it is, at least, certain that they occupied northern Mesopotamia, while it is very reasonable to suppose that their original home was still farther north.⁷

¹ Gudea planted vines in Lagaš (2500 B.C.); cf. Meissner, *Assyr. Stud.*, VI, 32.

² Cf. Landberg, *Dağna*, p. 1357, and Nöldeke, *Neue Beiträge*, p. 64. The origin of Sem. *yajn* (also in South Arabian and Ethiopic) = Gr. *olbos* is veiled in obscurity, though the view (championed also by Meyer, *GA*, I², 705) that it is a loan from Anatolia is plausible. The word does not occur in Assyrian (against *GB*¹⁰); *tni alpi* = *GIŠ-GEŠTIN-IGI-GUD* means 'ox-eye (vine)'!

³ For viniculture in the Old Empire cf. *RT*, XXXV (1913), 117-24.

⁴ So Lindl *apud* Hommel, *OLZ*, IX, 661, n. 1.

⁵ For the refutation of the modern Assyriological Eridu myth see my article, "The Mouth of the Rivers," *AJSL*, XXXV, 161-95.

⁶ See my article, cited above.

⁷ The Sumerian language seems to present the closest affinities with Georgian (cf. *AJSL*, XXXIV, 86 f.). The improbable Turkestan hypothesis, originated by King, in his *History of Sumer and Akkad*, has attained portentous dimensions in Langdon's *Tammuz and Ishtar*.

The relation between Anatolian and Sumerian religion is very close, quite aside from the mutual influence exerted in historical times, which fell rather heavily to the debit of Asia Minor. We will, therefore, turn to Anatolia in the following discussion for light on some problems not yet cleared up by Assyriological investigation.

II. THE VINE AND THE SERPENT

Throughout Anatolia and the Aegean lands the vine was intimately associated with the god of fertility, so closely, in fact, that the vine became his principal symbol, as befitting its importance in the economic and social life of those countries. For our purposes, as might be expected, the European cult of Dionysos is not so productive as the ritual and mythology of his Asiatic counterpart, Sabazios, the head of the Phrygian pantheon. In view of the non-Hellenic character of some phases of his cult, and his association with the pre-Phrygian worship of Mâ and Attis, we may regard him, in nature if not in name, as a very ancient god of productivity. That the Hittites worshiped divinities of a Dionysiac type is established by the sculptured image of a god carrying large clusters of grapes, found at Ivriz in Lycaonia, and by the representations of the Cilician Sandon. The Phrygian Sabazios,¹ or Sabos, whence his followers were called Saboi, is the god of heaven,² whose rains give fertility, and is variously conceived as a bull, a ram, or a serpent (see above), forms in which he consorted with mother-earth. His two principal cult-symbols are the vine and the serpent, which appear in conjunction. The ophidian rites are described by Demosthenes, who in his oration *De corona* (259-61) accuses Aeschines of having taken a prominent part in the recently introduced mysteries of Sabazios: τοὺς ὄφεις τοὺς παρείας (reddish-brown snakes sacred to Sabazios; cf. Theophrastos, *Char.* 28) θλίβων καὶ ὑπὲρ τῆς κεφαλῆς αἰωρῶν κτλ. The sacred serpents were carried in a λίκνον (winnowing basket; we are dealing with a harvest festival)³ or κίστη by the λικνοφόρος, and

¹ For Sabazios see especially Else's article in Roscher. The explanations of the name offered hitherto are speculative and do not commend themselves: e.g., Heb. *saba*, 'drink wine,' is proposed as an etymon by Levy; others prefer Lat. *sabaja*, 'Illyrian beer.'

² Closely related to the Anatolian moon-god, also god of fertility, sometimes called Men Sabazios.

³ In this connection it is interesting to note that in Egypt a section of grain was always left standing by the harvesters as a propitiatory offering for the snake genii

fed on honey cakes and wine.¹ To acquire fertility women drew gilded serpents through their bosoms, receiving thereby the sympathetic impregnation of the god of fecundity.²

Besides the male vine deity, female vine and serpent divinities were worshiped in Asia Minor. On an Ionic vase four *μυσοπαρθένοι* *ἐχιδναί*³ are represented in a vineyard; two hold a basket or net to catch the grapes, a third plays the flute, and a fourth brings a jar for the must.⁴ These nymphs are evidently the serpent-guardians of the vineyard, just as the Egyptian harvest-goddess *Rnnwt* (*wt* = 'serpent') is portrayed in ophidian form (see above). Weber's contention (*Philologus*, LXIX [1910], 201 ff.), adopted by Küster (p. 92), that the Anatolian Echidna was a form of Kybele, and that Apollo Pythoktonos received his name from his victory over the cult of the latter, is interesting; the demonstration is not sufficiently rigorous to be convincing, especially since Apollo Pythoktonos reminds one strongly of Horus the snake-killer, or Marduk, slayer of the dragon, to say nothing of the Hellenic parallels. It is, however, intrinsically probable that the Echidna was a form of the earth-goddess as well as a type of fertility spirit. The nature of these vineyard nymphs is amusingly illustrated by Lucian's parody (*Vera historia* i. 7), in which the travelers come to a river of Chian wine flowing from a vineyard whose vines were beautiful women from the thighs up, sprouting grape-laden branches from their fingers.⁵ The men who kissed them immediately began to stagger, and two who

which found refuge there, fleeing before the harvesters. The harvest fields of all lands are full of snakes, who devour the vermin which prey on the grain and thereby render the farmer a great service. Ancient superstitions usually had a real economic base, though not always so clear as here.

¹ Cf. Keller, *Das Antike Tierleben*, II, 287, for a reproduction of a silver vase (Stroganoff) figuring a maiden who gives a sacred serpent in the *λαρον* wine from a pitcher; see below.

² For the phallic symbolism see below.

³ Cf. Herod. iv. 9 for a description of the Scythian Echidna: *τῆς τὰ μὲν ἄνω ἀπὸ τῶν γλουτῶν εἶναι γυναικὸς· τὰ δὲ ἑσπέρην ὄφιος*. A Babylonian goddess is similarly formed (*KB VI*, 2, p. 2, l. 12; 4, 39): *qulipta kima ṣtri aldt*, 'she is wrapped in a slough (see below) like a serpent.'

⁴ Cf. Küster, *Die Schlange in der griechischen Kunst und Religion*, *Religionsgeschichtliche Versuche und Vorarbeiten*, XIII, 2 (1913), p. 143: "Im Süden ist dieses Tier der treueste Hüter der Gärten und Weinberge, und wer es tötet setzt sich noch heutigen Tages Vorwürfen und Scheltworten aus."

⁵ Vegetation deities on Babylonian cylinders are represented sprouting branches from their fingers.

accepted their advances grew fast, beginning with the genitals, and were transformed into human vines themselves.

The ophidian deities of Babylonia have been treated with as close approach to completeness as may reasonably be expected by Langdon, *Tammuz and Ishtar*, pp. 114 ff. Though long opposed to Langdon's explanation of the name *Ama-ušumgal-anna* (= Tammuz-Gestin-anna) as 'the mother-python¹ of heaven,' I have finally become convinced of its correctness; the meaning 'great lord' for *ušumgal* is derived from 'great serpent, python.' To a European the metaphor may appear strange, but not to all orientals, many of whom admire serpents greatly; in the South Arabian dialects (Landberg, *Daḡna*, pp. 1239 f.) *ṭuḥbān*, 'python,' *ṣill* and *ʿafā*, 'viper,' *ḥanaš*, 'serpent,' are employed to designate a brave man or warrior. We may infer that the serpent of heaven represents the fertilizing rain storm or the hurricane, often conceived in Babylonia as a dragon,² but beyond a conjecture we cannot go here. Besides *Ama-ušumgal-anna* there are two other serpent deities belonging to the Tammuz cycle: Ningišzida ('lord of the steadfast tree')³, a chthonic divinity (*bēl erṣiti*^m = 'lord of the underworld'), who is represented on the cylinder of Gudea with serpents springing from his shoulders, like Aži-dahak in Persian iconography;⁴ and Esir

¹ Langdon would hardly have rendered 'viper' if he had bethought himself of his remarks on p. 119; *bašmu* has, moreover, nothing to do with Heb. *pāṣen*, or the doubtful Ar. *baṣn*, 'viper.'

² Assy. *abūbu*, 'hurricane,' was plastically a dragon; cf. Sargon, *Huitième campagne*, l. 373, *abūbu muppariū šurbuṣu*, 'a crouching winged dragon,' and l. 379, *qaqqad abūbi nēši u rēmi*, 'the head of a dragon, lion, and bull' (similarly, Amarna 22, col. 3, ll. 5 and 10, *abūbi* are mentioned with *ṣalmāni*, 'black snakes,' *pāre*, 'bullocks,' and *nēše*). The name of the eclipse, *anlala*, fancied by the untutored to be a dragon, has passed into Syriac as *ʿatalā*, 'dragon' (cf. Nöldeke, *ZDMG*, XLIV, 524).

³ This might remind us of Gestin-anna, but it is probably a name like *Dumu-si-abzu*, 'steadfast child of the fresh-water sea,' which I have elsewhere explained as an auspicious name (forming incidentally a striking parallel to the Indo-Iranian *Apām-Napāt*). The *gišzida* is hardly the vine but is rather the indestructible cedar, just as Tammuz, Osiris, and Bītis were born from cedars, or closely associated with the tree (Attis was embodied in a pine and Adonis in a myrtle); the cedar post, which is the last of all posts to decay, may well have been called *gišzida*.

⁴ Ningišzida was symbolized by a caduceus, or a staff with two serpents coiled around it (Langdon, *Tammuz and Ishtar*, p. 122); cf. Frothingham's important article, "The Babylonian Origin of Hermes, the Snake-God, and of the Caduceus" (*AJA*, XX [1916], 175-211). As no attempt is made to establish the thesis implied in the first part of the title, the suspicions it arouses are happily groundless. The suggestion that the two serpents are male and female (p. 210) is improbable; they are simply symmetrical, like the two genii flanking the tree of life, or the sprouts springing from both shoulders of a deity. The proof (pp. 204-9) that *Zeusos*, consort of Atargatis, was worshiped in the

(KA-DI),¹ the goddess of Dêr, also a title of Tammuz. Esir is sometimes called a serpent-goddess herself, and sometimes mother of the serpent-god Saġan or Šerag. In BA, III, 297, l. 42, she is addressed as *iltu rabtū šarrat* (var. *bēlit*) Dêr 'Saġan' *bēlit* (var. *bēl*) *balāti* = 'The great goddess, queen (or lady) of Dêr, the serpent-goddess, lady (or lord) of life.' For other material, some of it problematical or erroneous, see Langdon's treatment, referred to.

After the preceding we can hardly avoid the conclusion that Siduri Šābtu was also a serpent-goddess in one or more of her forms. Her intimate association and virtual interchange with serpent deities, her character as goddess of life and wisdom as vine deity and as genius of life, like Esir, all point in that direction. As a virgin nymph she is naturally to be classified with the snake nymphs (*ginn*s) and Nāga princesses of the Orient. That the *ginn*s, who appear as serpents in the oldest Arabic sources, are so fundamental is clear from Egyptian parallels of the Middle Empire (ca. 2000 B.C.).² The Arabs called a snake *ʿilāhat*, 'goddess,'³ and the modern Syrians still call one *ṣabtīe*, 'maiden' (Wetzstein, ZDMG, XXIII, 312).⁴

form of a caduceus at Hierapolis is very good and provides new evidence of the close connection between Hierapolis and Mesopotamia. Seimios is the Ašima of Hamath (cf. Grimme, OLZ, XV, 14); the third member of his triad was called Συμπεριλος, or אַשְׁמִיפִּירִיאל (Grimme, loc. cit.), a deity related in name, at least, to Ešmūn (a title of Damu, like 'Addūn, 'lord,' or Ba'al, meaning 'possessor of a name, renowned': 'Ešmūn is the late Phoenician form of *Ešmān, adjectival derivative of *šem*, *šim*, 'name'). Here Frothingham might have considered the staff of Ešmūn-Asklepios, with one serpent coiled around it, the Biblical Neḥušan (cf. Baudissin, *Nöldeke Festschrift*, pp. 729-55, and his *Adonis und Esmun*, especially pp. 325 ff.). The healing staff is also the emblem of Asklepios' virgin daughter Hygieia, who may have some remote connection with Siduri.

In an earlier essay, entitled "Medusa, Apollo, and the Great Mother" (AJA, XV, 349 ff.; XIX, 13 ff.), Frothingham has established the existence of a Greek serpent-goddess of fecundity and her connection with the pre-Hellenic serpent-goddess. The decapitation of the Gorgon by Perseus is on a par with the slaying of Ummu Ḥubur, the mother of fertility, by Marduk, or the killing of the primordial bull by Mithra.

¹ For a full discussion of KA-DI see Langdon, *Tammuz and Ishtar*, p. 16, n. 1, and pp. 119 ff.; for the reading Esir see his *Sumerian Liturgical Texts*, p. 177, n. 5.

² Cf. AJSL, XXXIV, 243, n. 1.

³ Similarly the Egyptian hieroglyph for 'goddess' is a serpent.

⁴ The notions regarding the purity of snakes are illustrated by the Italian practice of determining the chastity of vestals by ordeal, in which a serpent represented Juno Sospita at Lanuvium; cf. Propertius iv. 8. 5 ff.:

Ille sibi admotas a virgine corripit escas:
Virgins in palmis ipsa canistra tremunt.
Si fuerint castae, redeunt in colla parentum,
Clamantque agricolae, fertilis annus erit!

The serpent was often regarded as the embodiment of the god of fertility, to whom a virgin was given in *lepos γάμος*.

Not only the Arab *ġinn*¹ but also the Egyptian *kô* (*ka*) and the Roman *genius*² were embodied in serpents, especially in house serpents. The Sumerian equivalent of the household genius is the *maškim* (= *râbiçu*, 'croucher'), 'guardian'; the snake-god Sagan (*Çîru*) is the *maškim Ešarra* or *Ekurra*, 'guardian genius of the temple Ešarra.' The genius of a man is *lama(s)*, Assy. *lamassu* or *tinānu* (*tinānu*), representing his capacity, nature, or essence (*mana*), very much like Eg. *kô*.³ It is difficult, therefore, to avoid comparing Siduri, the *lamassi balāti*, with Sagan, the mistress of life and guardian genius of the temple. The serpent as a genius of life appears in Egypt as the 'snake of good life(-time,' *ḥ nfr*), in an inscription of the Old Empire.⁴ Moreover, it is not easy to see how a genius of wisdom, like Sābītu, can fail to appear in serpent form, as the snake is the wisest of animals (Gen. 3:1) and the emblem of wisdom among all peoples. Furthermore, our divinities of alcohol seem inevitably to bring the serpent in their train; it is significant that the nine spirits of alcohol, children of Ninkasi, a doublet of Siduri (see above), are called 'the snake-charmers of heaven,' a designation pointing to cult-practices in Mesopotamia paralleling the rites of Sabazios, whose *λικοφόροι* were essentially snake-charmers. We may rest assured that future discoveries will reveal many similarities between the religions of Mesopotamia and Anatolia.

The partnership between wine and the serpent seems rather bizarre, particularly since it appears in an entirely different light from the modern caricature. Evidently the combination strikes deep root into the popular fancy; the underlying bonds must be strong to endure so persistently. Some of the factors which govern

¹ Etymologically, Ar. *ġinn* or *ġann* (Eth. *gānn*) belongs with *ġanna*, 'hide, cover, be dark' (*ġann* = veil); *ġann* is 'the hider,' and *ġinn* 'the hidden one.' There is an interesting parallelism between this stem and the group *νύμφη-nubere*; *νύμφη* is 'the veiled one' (cf. Siduri and Kalypso), whence 'bride.' The nymphs are fairies who dance in the fountains and clearings, veiled, to all but the chosen few, in their robes of invisibility, only laid aside for the bath. The view adopted in Roscher, III, 1392, note *, that *νύμφη* means *Nebel/raulein*, savors too much of cloud mythology. The *ġinns* are dissipated—but in smoke, like the Babylonian demons, in some respects their prototypes.

² Cf. Keller, *op. cit.*, p. 286.

³ The proof of this statement will appear elsewhere; contrast the ill-advised remarks, *JSL*, XXXIV, 85.

⁴ Sethe in Borchardt, *Saḥurē*, p. 98; for other Egyptian material on serpents cf. Amélineau, "Rôle des serpents dans les croyances religieuses de l'Égypte" (*RHR*, LI, 335-60; LII, 1-32).

the association of ideas may be enumerated: the appearance of wine, sparkling and shimmering like a serpent;¹ the similarity in nature, first seductive, then cruelly striking (cf. Prov. 23:32); the fact that both shed their skin, slough, or lees;² both have the attributes of life and wisdom, and were thus associated in cult and symbolism; in Anatolia, where the two were most closely connected, the serpent was the protecting genius of the vineyard. The two latter statements are not axiomatic and require some elucidation, which may be given briefly.

Wine, and alcoholic liquor in general, has been from time immemorial the symbol of life and youth, the portal to heroic adventures apart from the humdrum of ordinary existence. French *eau de vie* and Gaelic *whiskey* (lit. 'water of life') find their oriental counterpart in Persian *māye-i-šebāb*, 'liquor of youth,' and Sumerian *geštin*, 'tree of life.' Pliny, *Hist. nat.* xiv. 8, says the Greeks called wine *βίος*. The medicinal virtues of wine, antiseptic and stimulating, known from the greatest antiquity, find expression in the Arabic appellatives *dayāf*, 'healer' (Ṭabarī, 3, 902, 12), and *ʿuqār* = *ʿuqqār*, 'medicinal herb' (Sum. *šem*; see above). As healer and invigorator, as restorer of youth and fecundity (alcohol is an aphrodisiac), wine has received the adoration of poet and priest alike;³ a quotation from the *Rig-vêda*, VIII, 48, will illustrate the Indo-Iranian attitude toward soma:

We drank soma, becoming immortal,
We attained glory, and found the gods.

Vanished are my sickness and debility.

Now we are there where life will long endure.

This may suffice; it would be easy to quote interminably from literature and folklore illustrating the virtues ascribed to wine, but it is not necessary. It is not natural, nowadays, to regard wine as the seat of wisdom, but we must remember that delirious ravings and

¹ The Sumerians named a certain snake 'wine-serpent' (*MUŠ-GEŠTIN* = *ṣtr qaranu*, *SGL*, 96).

² Cf. *Sāma Vêda* (2, 7; 3, 21), where Sōma's change of skin is compared to a snake gliding over its dead slough.

³ Cf. Kircher, *Die sakrale Bedeutung des Weines im Altertum (Religionsgeschichtliche Versuche, etc., Vol. IX, 2 (1910).*

narcotic exaltation were supposed by the ancients to reflect super-human wisdom. Among the Persians (Herod. i. 133) serious deliberations were undertaken over the wine; sober reflection might criticize, but tipsy brilliancy was relied upon for inspiration.

The question of serpent-worship and the snake in folklore and mythology is too complex to be considered in a few paragraphs, and the material is for the most part not inaccessible; I will therefore confine myself to a brief presentation of the outstanding West-Asiatic phases of the subject. The serpent is universally regarded by primitive peoples as supernatural, owing to its silence and stealth, its legless movement, its magnetic power, and its sinuous luster, which has led to the common association with flowing water and with lightning. Not least among the many reasons is its apparent capacity for renewing its youth periodically by sloughing its skin. The direct phallic significance of the snake has been greatly exaggerated, especially by Freudians, who maintain that all folklore and mythology should be explained according to their psychological principles, based mainly upon psychopathology. Folklorists will continue to believe that the sexual imagery of the mind tends to originate in popular symbolism, rather than the reverse. To be sure, a hysterical female may associate the male member with snakes without knowing anything about current symbolism, and so on. For the present, however, without disdaining the useful aid of psychology, we must follow a less subjective line of research. Cases where the phallus is symbolized by a serpent will be mentioned below.

There is a widespread belief in snakes as chthonic spirits (*ginn*s), fertility demons, and as ancestral spirits, or their embodiment (cf. Küster, *op. cit.*); the latter conception is due to the fact that serpents used to haunt the graveyards and devour the offerings to the dead.¹ Because of their association with mother-earth, serpents are her children; in Greece they were the offspring of Gê, in Ethiopic and Assyrian the serpent is the 'beast of the earth' (*ʿaryê mēder, nēšu ša qaqqari*, Hommel, Haupt). With the interplay of the phallic motive, we cannot be surprised to see "Tîpāmat" with a serpent phallus, or the Mexican earth-mother with a serpent creeping out of her vagina,

¹ For a very similar reason owls were regarded in Egypt, Arabia, and Greece as the souls of the dead (*Seelenvögel*).

just as the serpent symbolizes the male member in Anatolia (see above).

Recently our attention has been redirected by Frazer to the importance of the sloughing of the skin as a mythological motive.¹ Following him, Morgenstern pointed out (ZA, XXIX, 284-301) that the episode in the Gilgames-epic, XI, 304-6, where the serpent steals the plant of rejuvenescence, must be understood similarly to refer to the theft of the power to slough one's skin from man by the snake. This happy suggestion was proved by my reading *quluptu*, 'slough of a serpent,'² instead of *qul(l)iltu*, 'curse,' as hitherto done.³ The passage runs as follows:

širu ulēcin nipiš šammu
[ištu m]ē ilā-ma šamma iššit
ina tārišu itlādī quluptum^m

A serpent smelled the fragrance of the plant,
 Came up [from the water and took the plant;
 On its return, it shed (its) slough.

There can be no doubt that this is a syncopated version of the Babylonian story of the Fall,⁴ explaining man's loss of eternal life. Frazer (*loc. cit.*) has collected many similar stories from various parts of the world. This is also one of the motives at the bottom of the biblical Fall (see below). The popularity of the slough-motive is attested by philological considerations: Lat. *senium* and Gr. γῆρας mean 'old age,' and 'slough of a serpent.' Sk. *jarāyu* = γῆρας also is 'afterbirth,' just as Arabic *nāsala* applies both to bearing and to sloughing. According to Ploss (*Das Weib*, I, 411), pregnant women in Brandenburg sometimes bind the slough of a snake around the waist to insure easy delivery.⁵

¹ See especially *Belief in Immortality*, pp. 69 ff.

² *Quluptu* is the same word as *quliptu*, 'slough' (see above), and is derived from *galāpu*, 'to peel,' whence also *qilpu*, 'skin.' Heb. *qēlef* and *qelīfā* have the same meaning.

³ My article, "The Sloughing of the Serpent's Skin," was received by the editor of ZA in the summer of 1916.

⁴ Clear traces of a myth of this character appear in Sumerian texts from the third millennium; see Langdon, *Sumerian Liturgical Texts*, p. 148, l. 12, and n. 4; p. 183, 21, and note. The serpent is represented as trying to rob the dead king of the food of life which confers immortality upon him.

⁵ This enables us to understand how the plant of birth (*šammu ša alādī*) in the Etana myth is ultimately identical with the plant of life (*šammu ša balādī*); rejuvenescence is *παλιγγενεσία*. Just as the eagle advises the application of Caesarian section to Rōdābah, who is unable to deliver herself of her son Rustam (cf. Hüsing, ARW, VI, 188 ff.; Carnoy, *Iranian Mythology*, p. 283), so the eagle guides Etana to the plant of birth. The eagle is supposed to renew its youth at will (see above).

As observed above, the serpent was the guardian genius of the vineyard in Asia Minor, a relation which led to further association between them, as illustrated by a riddle from the ʿTūr ʿAbdīn (Mount Masius), given by Prym-Socin (*Der neu-aramäische Dialekt*, II, 369, No. 18): "I know something which does not die and does not grow old; if one cares for it, it becomes young again every year—the vineyard." No. 12 deals with the serpent: "I know something that takes off its shirt once a year and fasts forty days until it has come off—the snake." Like the serpent, the vineyard casts its old skin annually, is carefully pruned, and the old foliage is cleared away.¹ If we may believe the sober Aristotle (*Hist. anim.* 594a, 9 ff.), Aegean serpents developed Falstaffian habits: οἱ δ' ὄφεις καὶ πρὸς τὸν οἶνον εἰσιν ἀκρατεῖς, διὸ θηρεύουσὶ τινες καὶ τοὺς ἔχεις εἰς ὀστράκια διατιθέντες οἶνον εἰς τὰς αἱμασίας, λαμβάνονται γὰρ μεθύοντες.

Another motive that may have influenced the association between the vine and the serpent is the fact that the vine in coiling around a tree undoubtedly does resemble a snake, especially since serpents are very fond of climbing trees in search of birds. The motive of the serpent coiled around the tree of life is very common, and was early stereotyped in Babylonia in the form of the caduceus (see above), while in the west it appears as the *nehuštan* or staff of Asklepios.² As the caduceus seems to have originated in Babylonia, it is hard to overlook the paronomasia between Old Sumerian *muš*, 'serpent,' and *muš*, 'tree' (later *giš*), which may have aided the association between the tree of life and the serpent.³ The association of the snake and the plant of life, or healing herbs in general, is so widespread

¹ It is to be hoped that no one will be tempted to combine *Sābtu* with Ar. *sabṭ*, 'slough of a serpent,' which, incidentally, would appear as **šabā* in Assyrian (Ar. *sabā*, 'skin,' belongs with Heb. *šabā*, 'draw, drag'), though an *s* sometimes appears in place of *š* before a *b*.

² A rather remotely similar motive is the serpent coiled around the *ὀμφαλός* stone (see Roscher, *Omphalos*, *Abh. Kön. Sachs. Ges. Wiss., Phil.-Hist. Klass.*, Vol. XXIX, 9 [1913], and *Neue Omphalosstudien*, Vol. XXXI, 1; Harrison, *Jour. of Hellen. Stud.*, XIX, 225 ff.). Roscher is surely wrong in combating the view of Rhode and Miss Harrison that the *ὀμφαλοί* were originally tombstones, and only combined with the navel of the earth (see above) secondarily. The serpent is evidently the genius of the hero, and the stone itself is, from the Semitic point of view, a modified *maṣṣēbā*. Its peculiar shape can hardly be dissociated from the placenta and navel string, which were thought of as the life-index of the departed hero, as well as of the living one (see my remarks at the close of the article, "Gilgames and Engidu," appearing in *JAOs*).

³ Similarly Père Scheil has ingeniously suggested (*Comptes Rendus* [1915], pp. 534 f.) that the story of the creation of Eve from man's rib may have been influenced by the paronomasia between Sum. *tī*, 'life,' and *tī*, 'rib.' The *tertium comparationis* is obscure.

that it cannot be based upon the story of the loss of life but must have some basis in observation, which escapes us at present. Thanks to the serpent's assumed wisdom and knowledge of pharmacopoeia, it became the healer and physician *κατ' ἐξοχήν* among the Mediterranean peoples.

The conjunction between the vine and the serpent has been explained; we have made it clear that Siduri-Sâbtu is a phase of the syncretistic complex Sirtur-Geštinanna-Ninkasi-Esir, which was merged on the one hand into the all-inclusive figure of Ištar, and on the other gradually depotentized, becoming a wise serpent-nymph and the genius of the vine of life. Elements in this cycle have become detached and have entered upon a new career of conquest in the world which succeeded oriental antiquity. It remains, therefore, to consider the vineyard paradise of Siduri and its reflexes in later story, after which we may study the metamorphoses undergone by the goddess herself, and her indirect exaltation to the highest place in the gnostic pantheon.

III. THE VINEYARD PARADISE

The vineyard paradise of Sâbtu was situated, according to Babylonian ideas (see above, and my article on "The Mouth of the Rivers," *AJSL*, XXXV, 161-95), somewhere in the mountains of the northwest, beyond Mount Masius, at or near the sources of the rivers. The fact that Armenia and Anatolia have always been accounted the home of the vine, where, according to Palestinian tradition, almost certainly going back to Mesopotamia, the flood-hero was said to have tended the first vineyard,¹ suggests the origin of the conception. Other elements played a rôle as well. Vineyards were usually planted on terraced hillsides, whence Assyr. *karmu*, 'mound,' also means 'vineyard,' Heb. *kérem* (cf. German *Weinberg*), so that the garden of the goddess of conviviality naturally had to be situated on a hill, at least. Moreover, the mountain paradise is a well-known motive elsewhere, as the gods were supposed to dwell on lofty peaks, Olympos, Méru, Aralû, etc.; it is found in the unique legend of Sargon I (Šarrukên) and the battle-king (*šar tamhari*),

¹ It is interesting to note that the Iranian flood-hero, Yimakhšašta, also introduced viticulture (cf. Carnoy, *op. cit.*, p. 319). In his terrestrial paradise (*vara*) the food of immortality is eaten.

discovered at Tel el-Amarna,¹ as a mountain in Asia Minor (?), where gold and lapis-lazuli abound, as well as cedars and other trees, including the (*a*)*murtinnu*.² In Anatolia the myth of the vineyard paradise may have attained its fullest development, though it seems to be Mesopotamian in origin, as appears from its localization at the source of the streams. Its two most important offshoots are the story of Kalypso, which wandered to the Aegean (see above), and the biblical Eden. The garden of the Hesperides³ and its congeners are myths of European origin (apples of Iduna, Avalon, *Sonnenäpfel*, etc.), and need not concern us; the future scholar may discover connecting links or similar developments.

The problem of Eden is too complex to be treated in this paper, nor is it necessary for our purpose. I hope to examine it in more detail elsewhere and shall accordingly stress here only the elements which belong to the cycle of conceptions under discussion. The work of the literary critics has reached an *impasse*; in general, the analytic methods which now must be employed are too subjective to be of much value, as drastically illustrated by Albert (*ZATW*, XXXIII, 161-91) and Robertson (*AJSL*, XXVIII, 254-73).

The principal mythological motives to be traced in the story of Paradise are: (1) the Paradise in the west (so; cf. Gen. 3:24) at the source of the four rivers;⁴ (2) the tree of life and wisdom inhabited by the serpent-genius; (3) the loss of immortality through the cunning of the serpent; (4) the seduction of the archetype man by the mother(-goddess), who induces him to eat of the fruit of knowledge (=sexual intercourse);⁵ (5) the tree of life guarded by the

¹ Published by Schröder, whose work has not yet become accessible in this country. Sayce has given an inadequate translation in *PSBA*, XXXVII, 227-45.

² The *amurtinnu* is perhaps also a plant of life (cf. *GE*, XI, 285). It is written ideographically as *GIŠ-GEŠTIN-GIR*, lit. 'thorny grape vine'; *murtinnu* may be derived from **murtin*, older form of *geštin*. The thorn (*sihtu*) is mentioned in *GE*, XI, 285, and Craig, *Religious Texts*, p. 26, rev. 1, reads, *giš aiddir-ma amurtinnu ana nipši andpaš* = 'I will break the thistle (i.e., the enemy), and will card the *amurtinnu* to shreds.' The latter can hardly be the rose (Aram. *wardā*), as Jensen thought, but may have been the raspberry, or especially the gooseberry (Ger. *Stachelbeere*, Gr. *olcos*), from which an excellent wine is made, and which grows all through the highlands of Eurasia.

³ The serpent coiled around the tree, which one of the Hesperides gives to drink, comes doubtless from the Aegean.

⁴ As noted first by Weinheimer, *ZATW*, XXXII, 33 f., the four rivers of Eden are a learned combination of Mesopotamian and Egyptian elements. This thesis is supported in a much fuller way in "The Mouth of the Rivers."

⁵ The sexual meaning of the fruit of the tree of knowledge is generally recognized. Assy. *inbu*, 'fruit,' has sexual force (cf. Thureau-Dangin, *RA*, XI, 153).

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East

griffins and the whirling sword. While this list can hardly claim to be exhaustive, it will give an idea of the complexity of the problem and perhaps contribute materially to its solution. For our knowledge of the Jewish myth we are fortunately not entirely dependent upon the narrative in Genesis, chapters 2 and 3, which probably dates from the seventh century in approximately its present form; but we are able to draw upon later material, mostly in the Book of Enoch and the rabbinical writings.

The last three of the motives just given require some additional explanation. The theft of the divine gift of eternal life by the serpent (see above) survives only in the framework of the Fall; loss of life becomes a loss of innocence, and the snake appears as the instigator, like Enki-Ea in the Adapa and Uttu myths, not as the thief itself. The seduction motive (see *JBL*, XXXVII, 123 f.) is perhaps the most popular oriental explanation of the origin of fertility; in a large group of myths, extending from Egypt to India, procreation is introduced into the world by the seduction of the god of fertility, or the archetype man, often one and the same, by the mother-goddess, or the first woman.¹ Finally, the *kerûbîm*,² who guard the tree of life, are unquestionably the winged genii of fecundity who fertilize the female date palm in Assyrian sculptures;³ they were easily misunderstood and taken to be the guardians of the sacred palm, the tree of life, *κατ' ἐξοχήν*, among all Semitic peoples. The flame of the revolving sword, which in India appears as a revolving sun-wheel with sharp spokes,⁴ originated, I believe, in a miscomprehension of the purpose of the winged solar disk which the genii hold over the palm to insure maturity of the crop. In a tableau from the eighth

¹ The fact that both the first man and the first woman have two names suggests that there may be fusion of two separate myths, one dealing with *Enôš* and *Iššā*, the other with *Adām* and *Ḥayyā*, the latter pair being much more mythical in appearance. From a different angle, Grossmann has also reached the conclusion that Adam "eine mythische Gestalt verdrängt hat und an ihre Stelle getreten ist" (*ARW*, X, 363). As *Ḥut* is known to be the name of a Phoenician goddess (see below), it is not impossible that *Adām* represents *Damu*, the name of Adonis in Byblos (see above), and is, to a certain extent, a popular etymology. However, this is only a possibility.

² The word is Assyrian; *kirûbu*, 'guardian genius,' is derived from *karûbu*, 'to bless, a stem not found outside of Assyrian.

³ See the illustrations in Von Luschan, "Die ionische Säule," *Der alte Orient*, XIII, 4, 26 ff.

⁴ In the *Mahābhārata*, Garuḍa passes through the spokes of the wheel in reduced size to get the *sōma*, guarded by two terrible dragons with Medusa gaze.

century, figured by von Luschan (*op. cit.*, p. 29), both palm and winged disk are replaced by the revolving sun-wheel between the genii.

The centerpiece of Paradise was the tree of life and wisdom (Gen. 2:9), from which the four rivers sprang. In our document the tree of life is secondarily distinguished from the tree of wisdom, which is assimilated to the tree of the fruit of sexual knowledge,¹ a motive of separate origin; the two motives are then patched together so awkwardly as to suggest literary compilation.² Moreover, the tree of life has become a mere philosophical abstraction, whose concrete background can only be found by a study of later records, where popular ideas come to the surface again. Enoch 32:4, from the second century B.C., states that the tree of knowledge, which had replaced the tree of wisdom, is like a fir in height, with leaves like the carob (also found in Šābītu's garden) and fruit like grape-clusters, with a penetrating fragrance. In 24:2 ff. the tree of life is said to be an evergreen, with fruit resembling the date, and a wondrous aroma; this tree is a composition of the two principal sacred trees of western Asia, the cedar and the palm. In these passages the three most popular trees of life, the evergreen, palm, and vine, are combined into romantic monstrosities. Rabbinic sources make it clear that the vine was the most deep-rooted and hard to eradicate of all the identifications. The *Mišnā* (*Sanhedrin*, 70a) states that the tree of knowledge was a vine, in which it is supported by the *Berešit Rabbā*,³ which also mentions the fig as a possibility. In Enoch (*loc. cit.*) the tree of life is situated among the seven mountains of gems in the northwest,⁴ just as in the Gilgames-epic, and the tree of knowledge among the seven spice mountains in the northeast.

¹ The tree of sexual knowledge in Genesis was certainly conceived as a fig, always popular in sexual symbolism. See especially Paton, *Revue Archéologique* (1907), pp. 51-57, and Reinach, *Cultes, Mythes et Religion*, III, 117, 361.

² For our purposes it is immaterial whether the sources of JE were oral or written.

³ Third Baruch, a Jewish work with Christian revision in the second century A.D., identifies the tree of knowledge with the vine, which Sammael planted.

⁴ This is still the opinion of the Book of Jubilees, written about 100 B.C. (Charles). In later sources the site of Paradise has been removed to the east, under the influence of the Alexander romance. It is interesting to note that the Book of Genesis (seventh century) agrees with Herodotus (fifth) in placing the sources of the Nile in the west, while, after the time of Alexander, they were transferred to the east, thanks to the persistent fancy that there must be a connection between the Nile and the Indus.

The fruit of the tree of wisdom is accessible to the serpent-goddess Ḥaqqat,¹ who can hardly be separated from the serpent-nymph Siduri who guards the vineyard of life and wisdom at the source of the rivers. It is therefore probable that the Garden of Eden was introduced into Hebrew cosmogony after the attraction of Ḥaqqat into the Siduri-cycle, whose widespread popularity is attested by the story of Kalypso. This explains the absence of the motive of Paradise in other oriental cosmogonies.

Oriental literature has preserved some interesting echoes of the vineyard of Paradise at the source of the rivers. Since the sources of the Euphrates and Tigris were too well known in post-Christian times to be romantic, Paradise was placed at the source of the Nile (identified with Gihon), which was veiled in convenient obscurity. The ascent of the Nile in quest of Paradise forms consequently a popular romantic motive. Mas'ûdî, for instance, in the tenth century, tells the story of 'Amrân, who visited the source of the Nile and saw the river descending from castles of gold in the garden (of Eden), whose king(!) gave him grapes which confer longevity.² These wonderful grapes also appear in the Alexander romance (Friedländer, *Chadirlgende und Alexanderroman*, pp. 159, 219, 228); an angel or bird (naturally more original) brings the hero a marvelous bunch of grapes from heaven, or from the top of the world-mountain (= Harâ Berezaïti?). According to one version this bunch renews itself miraculously so as to feed the king's entire army. The wine of Paradise in the *Qur'ân* comes from the same vintage; we hear of its extraordinary qualities as an elixir of life, 'in which there is no intoxication' (*lâ fîhi ʿaylû*", *Sûra* 37, 46). The subject might be pursued farther, but such comparative literary and folkloristic researches, however interesting, are without bearing on our theme; enough has been said to show the tenacious hold taken by the vineyard of Paradise upon men's imagination.

¹ On Eve and the serpent cf. Grossmann, *ARW*, X, 358 ff. A goddess Ḥyt is known from Carthage. In Aramaic and Arabic, ḥiyyâ, ḥaiyatû are the ordinary words for 'serpent,' lit. 'coller,' from the root ḥyi, 'collect' (cf. 'coll' from *colligere*, Haupt, *AJSL*, XXIII, 228). The association of Ḥyt with life is greatly strengthened by the paronomasia with ḥaiyyâ, 'life.' A remarkable parallel is the term 'snakewater' for 'water of life' among the Aramaeans of the Tûr 'Abdîn (Prym-Socin, *Der neu-aramäische Dialekt*, II, 386); 'life' is ḥaije, 'serpent' is ḥaijât.

² *Prairies d'or*, ed. Meynard, I, 269.

IV. THE GODDESS OF LIFE AND WISDOM

In the recently discovered Aramaic original of the romance of Aḥtqar we read (Papyrus Sachau, 53, 16-54, 1): "[Wi]sdom is [from] the gods, and to the gods she is precious; for[ever] her kingdom is fixed in he[av]en, for the holy lord (lit. lord of the holy things) elevated [her - -]."¹ A counterpart to this is found in Enoch 42:1-2: "Since Wisdom found no place to dwell, she received an abode in heaven. When Wisdom came to dwell among men and found no abode, she returned to her place, and dwelt among the angels." It cannot be gainsaid that the passage in Aḥtqar is remarkably "gnostic" in sound for a work of the seventh century B.C., preserved in a manuscript of the fifth. Nor can there be any doubt that the book is purely heathen; immediately before our passage occur the words, "Two things are good, and three are pleasing to Šamaš," which form a stylistic bridge between the cuneiform proverbs and the thirtieth chapter of Proverbs.² The descent and subsequent elevation of the Sophia, in Aḥtqar and Enoch merely alluded to, but important dogmas of Gnosticism, are reflexions of such mythological conceptions as the descent of Ištar to Hades and her exaltation by the god of Heaven to a position as his consort, as appears transparently in the Valentinian Gnosis and related systems (see below).

Aramaic *Hokmēā*, 'wisdom,' is evidently the source of Jewish *Hokmā*, which does not appear in the Bible until the post-Exilic period. It has been observed by Gunkel that *Hokmā* appears too foreign and mythological in her garb to be a native Jewish product.³ Apart from the fact that such hypostatizations are otherwise not found in the Old Testament, though common in Egypt and Babylonia,⁴ is the rich imagery in which our figure is clothed, apparel which betrays a pagan origin. The first section of Proverbs, devoted largely to praise of wisdom, is based ultimately on Mesopotamian models, as appears from the constant repetition of the formula, "My

¹ חכמתה (מן) אלהיא הוּי אה לאלהי קניורא עד לעולם (Braneth, Seldel) ל[ה]ר
מלכותא בשומין שימה די כי בעל קדשין נשא.

² Cf. also JAOS, XXXVIII, 62 ff., and especially p. 65.

³ See his *Genesis*, 1, p. 95.

⁴ For Egypt see Gardiner, s.v. "Personification" in Hastings' *Encyclopedia of Religion and Ethics*; for Babylonia cf. Zimmern in the introduction to his brochure *Ištar und Saltu*, published in 1916.

son," rare elsewhere, but characteristic of cuneiform gnostic literature (JAOS, XXXVIII, 62). Wisdom "is a tree of life to those who take hold of her"; "longevity is in her right hand, riches and honor in her left" (Prov. 3:16, 18). In the pæan of Prov. 8:4 ff., Wisdom declares that her fruit is better than fine gold (v. 19). The tree of life and wisdom crops up here most unmistakably, but the climax is reached in Ben Sira's magnificent ode to wisdom, xxiv, 13-21, where wisdom, as the tree of life and wisdom, is compared to the cedar of Lebanon, the cypress of Hermon, the palm, the oleander, the olive, the sycamore, and, in culmination, with the vine (v. 17): ἐγὼ ὡς ἀμπελος ἐβλάστησα χάριν, καὶ τὰ ἀνθημου καρπὸς δόξης καὶ πλούτου. The grape is the symbol of the fruit of wisdom (Prov. 8:19), and the being who is symbolized as a vine is a reflexion of the older goddess of the vine and of wisdom.

Some of the statements regarding wisdom are purely gnostic. In Prov. 8:23 she says:

From of old I was emanated, from the beginning, before the earth;
Before the floods I was brought forth, before the fountains of water.

In *Sapientia Salomonis* we read in the same vein:

ἀτμὶς γὰρ ἐστὶ τῆς τοῦ θεοῦ δυνάμεως,
καὶ ἀπόρροια τῆς τοῦ παντοκράτορος δόξης εὐλακρινής.

From this it is evident that Heb. *nissak* does not mean 'be established,' but is to be taken in its literal sense, 'be poured,' i.e., 'be emanated,' and is the exact equivalent of ἀπορρέω (=προβάλλω)¹ and *emanare*. Similarly Ben Sira says (i. 8): 'God poured Wisdom out (ἐξέχεεν) on all his works.' Emanation is, of course, not a particularly abstract expression, referring primarily to the outpouring of generative semen. As the idea is very simple, it is probably unwise to trace it to a given source yet; at all events, Reitzenstein might have found much more promising material for his effort in Babylonia than in Egypt. It is, however, clear that the conception that the Sophia is emanated by God is excellent gnostic doctrine. In the same way the temple of wisdom, with its seven pillars, cannot be

¹ For the expression ἀπόρροια cf. Reitzenstein, *Poimandres*, p. 16, n. 4. We cannot be surprised to find Greek philosophy exerting an influence on the later books of the OT; such influences have long been noticed in Ecclesiastes; cf. Levy, *Das Buch Qoheleth*, pp. 11 ff.

separated from the celestial abode of the Sophia, with her seven sons, planetary archons.

Through the wisdom of Solomon our path leads to Philo (cf. Gfrörer, *Philo*, I, 213 ff.; Bousset, *Religion des Judentums*², p. 397; Reitzenstein, *Poimandres*, pp. 41 ff.), who regarded Σοφία or Ἐπιστήμη as the demiurge who created the world, and as the mother of the Logos, *semper virgo*, since God does not generate in human fashion (*De ebrietate*, 30; *De profugis*, 20). Under the influence of Hellenic philosophy the oriental doctrine of a mystic wisdom yielded to the Greek divine Reason,¹ and survives in Philo only in traces. Reitzenstein (*op. cit.*, pp. 44 ff.) has tried vainly to show that the Sophia is a faded Isis; he has only succeeded in proving that the Valentinian Sophia, a thoroughly syncretistic creature, receives epithets such as 'mother of the ogdoad,' which unquestionably belong to Isis. It is entirely natural that the Hellenistic Isis should be called Φρόνησις, Σοφία, or Πρόνοια, but these appellatives are foreign to her Egyptian prototype. Reitzenstein's statement (p. 45, n. 2), "Die allmähliche Ausbildung dieser Lehre von der σοφία im Judentum . . . kann den Gedanken nimmermehr als original-jüdisch erweisen," is quite correct, but not in his sense; the Ahtqar romance has been discovered since in Egypt, forming the connecting link between Jewish and Assyrian gnomic literature, and, by the irony of fate, demonstrating the Mesopotamian origin of wisdom and indirectly of Sophia, though the cult of Isis certainly exerted some influence upon the gnostic syncretism which gave rise to the figure of the great mother, Sophia-Barbelo.

At this stage of our inquiry it is important to establish the fact that not only the reflexion of Siduri-Sābītu but also her very name has survived in Gnosticism. Sābītu has already been identified² with Sabbe or Sambethe,³ called the oldest of the Sibyls, and variously termed Chaldaean, Hebrew, or Erythraean, by an erroneous identification with the famous sibyl of Erythrae in Ionia.⁴ She is said to

¹ Langdon's recent effort (*JRAS* [1918], pp. 433-49) to prove the Babylonian origin of the Logos is a total failure, as I shall show in an article to appear soon.

² *KAT*¹, 439.

³ For her see especially Roscher, IV, 264-69.

⁴ Cf. Reinach, *Cultes, Mythes et Religion*, III, 311-21.

have been the daughter of Berossos and Erymanthe;¹ Freudenthal's happy suggestion that the historian was made her father by misunderstanding of the idiom ἡ τοῦ Βηρώσοῦ shows, at least, that she must have been cited in his writings, and therefore had a reputation as a prophetess as early as the fourth century B.C. Since Sambethe is further said to have been the daughter-in-law of Noah (because of which she is called Hebrew), she must be identified with the Sibyl of the Judeo-Christian Sibylline Oracles (written between the first century B.C. and the third century A.D.), as the latter says of herself (III, 827): τοῦ (sc. Noah) μὲν ἐγὼ νύμφη, καὶ ἄφ' αἵματος αὐτοῦ ἐτύχθην. Here the Sibyl appears as daughter and daughter-in-law of Noah; from Coptic sources we learn (cf. Nestle, *ZNTW*, XI, 240, and Crum, *ZNTW*, XII, 352) that the Sibyl was the sister of Enoch, and also that she was considered immortal, like Enoch, Elias, and Tabitha, a circumstance which furnishes additional proof that she is the reflexion of Sâbtu. As both Noah and Enoch, in their pseudepigraphical development, are to a certain extent reflexions of the Babylonian flood-hero and immortal sage Atrahasis,² it is evident that their immortal relative, the Sibyl, Sambethe, was previously considered the sister or daughter of the Babylonian hero. Owing to the intimate association in rôle and geographical localization between Atrahasis and Sâbtu, it would really be surprising if this were not the case, at least in the late period. As both Atrahasis and Noah were deluge-heroes and teachers of divine wisdom, the Judeo-Aramaean who succeeded to the Babylonian heritage did not hesitate to borrow from the one to enrich the other (cf. *JAOS*, XXXVIII, 61 ff.).

As patron of wisdom the Sibyl is called in the Oracles (III, 814 ff.) daughter of Kirke and the father Gnostos; we cannot, therefore, be surprised to find her figuring prominently in gnostic mythology as Νωπία or Βαρθενώς, the wife of Noah. Barthenos is usually (cf. Bousset, *Hauptprobleme der Gnosis*, p. 14) considered an Aramaic corruption³ of παρθένος, 'virgin,' which reminds one of Siduri, 'virgin'; but, owing to the practical improbabilities of the

¹ An Ionian Sibyl; her name is connected, at least in popular etymology, with ἑπείω, 'speak,' and μαντήη, 'oracle, divination.'

² The proof will be given elsewhere.

³ This is not impossible; Gr. β becomes b in *bardits*, for *πάρεδαις*, etc., and o frequently becomes lengthened in Aramaic loans from Greek.

supposition, I am strongly inclined to accept a suggestion, made to me orally by Haupt, that Barthenos represents Aramaic **Bart Nôh* 'daughter of Noah,' so that Noria would be the proper name of the goddess and Barthenos a surname. I venture further to suggest that Noria, like Sambethe, was properly daughter and daughter-in-law of Noah; *νύμφη*, which means both 'bride' and 'daughter-in-law,' was misunderstood to mean the former, a mistake which was very natural, to say the least. The identity of the two is indicated, moreover, by the fact that Noria ἀπεκάλυψε τὰς ἄνω δυνάμεις,¹ and taught the mysteries of the Sophia, whose crudities (which become obscenities in his hands) Epiphanius narrates at length. The name Νωρία is generally combined with Heb. *na'arā*, 'girl,' a most improbable etymology, being both phonetically and semantically objectionable; *na'arā* does not mean 'virgin' (*betûlā*), and is not found in Aramaic, from which Νωρία must be derived. According to Epiphanius the name comes from Syr. *νουρά* (= *nûrā*, 'fire,' probably a popular etymology);² phonetically Νωρία is naturally to be combined with Aram. *nehôrā*, 'light,' which would be transliterated **Nēwpa* > *Norea* (Iren. i. 30. 9; here the wife of Seth, just as the Sibyl is sometimes the sister of Enoch), or Νωρία.

Since both Barbelo and Noria are mentioned as the two goddesses of at least one gnostic sect (the Nicolaitans, Philaster *Adv. haer.* 33), it is impossible to avoid the conclusion that the latter corresponds to the so-called lesser Sophia, or Προβνίκος, an epithet not explained hitherto, but probably Aram. *paryanqā*, 'envoy, legate' (from Persian *paryanak*), employed also in the Mandaean system as the name of a superhuman being, a celestial messenger. Sophia Prunikos is distinguished by the Valentinians from the Upper Light (τὸ ἄνω φῶς), which is identified with Christ, her brother, who descends from heaven to save her from the abyss and wed her. As the lesser light, and the messenger of the world of light to the hyle,³ Prunikos is usually identified with the παρθένος τοῦ φωτός or θυγάτηρ τοῦ φωτός, who plays a pre-eminent rôle in the system of the Pistis Sophia,

¹ Cf. Schmidt, *Gnostische Schriften*, pp. 586 f.

² In explanation of the name Epiphanius tells a curious etiological myth: Noria set fire to Noah's ark, thereby delaying its construction for many years.

³ This rôle is assumed in the Manichaean system by Mēnī himself, 'the envoy of the light.'

and among the Manichaeans.¹ In the earlier teaching (Schmidt, *Gnostische Schriften*, pp. 375 ff.; Bousset, *op. cit.*, pp. 61 ff.), the virgin of light possesses the water of light, with which she baptizes the faithful. Into this circle Noria, 'light,' the envoy of the Sophia, fits most naturally; Siduri-Sâbtu has merged herself, in strangely altered form, in the composite figure of the lesser Sophia.²

The circle of divinities about Tammuz, to which Sâbtu belongs, has left other important deposits in the stratigraphic complex we call Gnosticism. In the limited space at my disposal I can only outline briefly a few of the results which have accrued from several years of study in this interesting field. It is becoming steadily clearer, that the background of Gnosticism is Aramaeo-Babylonian, and not Hellenic, as maintained especially by Harnack, to whom we owe its famous characterization as "akute Hellenisierung." De Faye (see his *Gnostiques et Gnosticisme*, 1913, and *Expositor*, 1915, pp. 108-31) is merely an epigone of the latter, whom the Greek garb of Gnosticism blinds to its totally un-Hellenic framework (cf. for the latter Gruppe—who ought to know—*Griechische Mythologie*, pp. 1621-29). Great progress in the analysis of Gnosticism has been made by Bousset, *Hauptprobleme der Gnosis* (Göttingen, 1907), but he has hardly succeeded at all in determining the precise nature of the oriental sources, where we are still dependent upon Reitzenstein and Anz, *Ursprung des Gnostizismus* (1897), who correctly finds the origin of the gnostic nucleus in Babylonia. His failure to establish the theory rests partly upon his lack of command of the cuneiform and general oriental material, but principally upon a number of erroneous assumptions. It is, for instance, very improbable that the doctrine of the ascent of the soul through the seven spheres arose in Babylonia, though Chaldaean astrology certainly exerted an influence on its formulation, nor can it be considered the central teaching of Gnosticism. Moreover, there is very little in gnostic mythology which reflects the official religion of Babylonia in the latest accessible period. My thesis is that Gnosticism sprang up in the Aramaean

¹ The light-maiden, though strongly affected in her development by Persian dualism, is ultimately, perhaps, a reflexion of Sumero-Babylonian Dīlbat (Mand. Dīlbat), 'the brilliant,' goddess of the planet Venus, one of the most popular forms of Ištar.

² Cf. Zimmern, *KAT*, p. 439, and contrast Hehn, *BA*, V, 300. My views were developed in entire independence of Zimmern's suggestion.

syncretism of northern Mesopotamia and Syria, which fell heir to the Babylonian heritage, and that it is based more upon popular religion—especially the cult of Tammuz and Ištar—than upon esoteric priestly teachings. From this popular faith arose, under the influence of learned tradition on the one hand and the new nomistic systems of Zoroastrianism and Judaism on the other, a prolific crop of more or less ephemeral beliefs, tending strongly toward mysticism and sheltered by the official religion. The circumstances under which Gnosticism was transplanted into the Hellenistic world are obscure, but it seems clear that it was part of the general movement which brought Mithraism, followed by the votaries of Isis, and later by the evangelists. Upon Christianity, a child of the same soil but possessed of incomparably more vitality, Gnosticism fastened itself as a parasite, finding it, like certain modern pseudo-evangelical sects, easier to proselyte among the elect than among the unregenerate heathen.

The Mother, Sophia, or Barbelo occupies the most varied positions in the different gnostic systems, from that of the Queen of Heaven, the מלכת שמיא of the Aramaeans, Greek Aphrodite Urania, among the so-called "Barbelo" gnostics, to the place of Ti'āmat = Namrus, Rûhâ d'qudša, among the Mandaeans. The most improbable explanations have hitherto been advanced for the name Barbelo; I would derive it from Aram. *bulbālā*, 'chaos,'¹ since Barbelo is mother by the abyss (*Buths*) of Jaldabaoth, which Hilgenfeld happily explained as Aram. *ḵaldā d'bahūt*, literally 'the child of chaos.' The latter is a sadly depressed Tammuz,² whose full name *Dumu-zi-abzu* has essentially the same meaning, 'faithful child of the abyss.' In the Mandaean cosmogony Namrus represents Ti'āmat (Brandt, *Mandäische Religion*, pp. 131, 182). While her consort 'Ūr (= *Buths*)³

¹ Such dissimilations are common; cf. *θήρυλλος* and *blārā*, *μαργαρίτης* and *margellid*. By a further assimilation *Barbelō* becomes *Barberō*.

² Such confusions and alterations cannot surprise anyone accustomed to the phenomena of religious syncretism. Bousset has proved that Jaldabaoth is the planet Saturn (*op. cit.*, pp. 351–55), whose god in the Babylonian system was Ninurta, not Tammuz. The explanation of the apparent anomaly is to be found on Syrian soil; it is a characteristic product of Aramaean syncretism. Jaldabaoth, as Bousset has shown, represents Kronos, the consort of Rhea-Kybele. But the consort of the latter was also Attis-Adonis, so Tammuz naturally became Kronos.

³ 'Ūr has hitherto proved inexplicable, and has even been combined with the Valentinian Horos (= *ὅρος*, 'boundary'), a most improbable supposition in every respect. I

is transparently Apsû, in whose rôle he is overthrown and bound by Mandâ d'hajjê, here = Marduk. My interpretation of *Μήτηρ Βαρβελώ* is, I venture to say, the only one which can be brought into accord with Babylonian cosmogony, where the primeval abyss of waters is the first principle and the mother of all things, *Ama Engur*, 'mother abyss,' Sem. *Ummu Ħubur*.¹ In the syncretism of the western gnostics, Barbelo, being the oldest and greatest of divinities, was identified with the celestial mother-goddess, in her various forms, Ištar, Astarte, Derketo, Isis, Kybele, and finally borrowed her name Sophia from the lesser Sophia, *Achamoth*, Aram. *Ĥakmût*.² As a result of the confusion, the latter, besmirched and adulterated by her contact with the hyle, is sometimes conceived in the rôle of Tî'âmat, though originally there is no connection.

We are now, I believe, in a position to recover the milieu in which Barbelo arose. According to Hippolytos, *Refut.* v. 26 (cf. Bousset, *op. cit.*, p. 73), the Peratae, an "Ophite" or Naasene sect, worshiped the *δύναμις ἀβυσσικοῦ θολοῦ* with the name *θάλασσα = Tî'âmat*, as in Berossos. The Peratae are said to have received their name from Euphrates the Peratic, a gentilic usually derived from *πέραν* (= Euboea), but by Brandt (*op. cit.*, p. 192), with whom Bousset agrees (*op. cit.*, p. 26), from Forat Maišân in the vicinity of Basra. But Hippolytos also states that Euphrates was the name of the sacred water of life: *ἡμεῖς οἱ πνευματικοὶ οἱ ἐκλεγόμενοι ἀπὸ τοῦ ζώντος τοῦ ρέοντος Εὐφράτου διὰ τῆς Βαβυλῶνος μέσης* (cf. Bousset, p. 280, n. 2); and further: *Μεσοποταμία δὲ ἐστὶν ἡ τοῦ μεγάλου ὠκεανοῦ ροὴ ἀπὸ τῶν μέσων ρέουσα τοῦ τελείου ἀνθρώπου*, referring to the source of the rivers at the *ὀμφαλὸς γῆς* (see above). It is only, therefore, reasonable to explain *Περατικοί* as the equivalent of Aram. **Prâî'âîê*, gentilic plural from *Prâî*, the Euphrates. In my article, "The Mouth of the Rivers," *AJSL*, XXXV, 161-95, I have collected a mass of evidence showing the sacredness of the two rivers and their water in antiquity. I overlooked, however, a mosaic of

would explain the name as simply **âr*, 'abyss,' preserved in Arabic as *ḥamr*, 'abyss' (mod. *ḡor*), and in Assyrian as *ârû*, 'abyss of waters' (from the root *aru*, 'to flood'); see my forthcoming article, "Notes on Assyrian Lexicography and Etymology," in *RA*.

¹ See "The Mouth of the Rivers," cited above.

² **Ĥakmût* can hardly represent Heb. *ḥokmôt*, 'wisdom,' but may stand for Aram. *ḥakmûtâ*, venerated by Bardesanes, according to Ephrem Syrus.

the early Roman period, discovered by von Oppenheim (see *Byz. Zeit.*, XIV, 58 f., and *BA*, VII, 158) at El-Mas'ūdīje on the middle Euphrates. The river-god Euphrates is seated, with a reed-encircled, bearded head, carrying an oar in his right hand, while fishes swim below; at his sides are female forms, one of whom bears a cornucopia. Reminiscent of Babylonian seals is the urn under his arm, from which water spouts in a great arch. The accompanying bilingual reads *Βασιλεὺς ποταμὸς Εὐφράτης* and Syr. ܡܠܟܐ ܥܠܡܐ, 'King Euphrates.' The stage was set for the rise of a Baptist sect like the Peratae on the banks of the middle Euphrates; the confusion of the sacred river with the first-century philosopher of the same name, known to posterity as the antagonist of Apollonios of Tyana, may easily have been responsible for the patristic misapprehension. Among the Ophites in general the cult of water plays an important rôle, being associated with mythological ideas which retire into the background in the Baptists of Palestine, the followers of John, Dosithaios, and Elkesai. It is safe to assume that the Jordan is the successor of the Euphrates, though, curiously enough, the former has outlasted the latter in Mesopotamia itself, owing to Palestinian influence upon the Mandaeans. The Baptist *ποτήριον* (or *πηγή*) *ζώντος ὕδατος ἀλλομένου* is the lineal offshoot of the Sumerian *agûba*, the laver of holy water, symbolizing the sacred fountain, and the spouting vase. The holy water was associated both with the Mother of All, the aqueous first principle (cf. Bousset, *op. cit.*, pp. 103 ff.), and with the goddess of life and wisdom, who held the spring of the water of life under her charge.

After the preceding we can hardly be surprised to meet our old acquaintances, the vine and the serpent, in the *entourage* of the Sophia. According to Irenaeus, some of the gnostics identified Sophia with the serpent, but as a rule the latter was set apart as the offspring of Jaldabaoth, the *Νοῦς ὀφιομόρφος*, or 'serpent-formed Reason,'¹ who was naturally combined with the serpent of the Fall. The puritanical Severian sect of Barbelo gnostics held that the

¹ The Naasenes practiced rites reminiscent of the mysteries of Attis and Sabazios, but this does not prove their Phrygian origin; the worship of Attis was widespread at this time, and serpent-worship was known in Mesopotamia outside of his cult. At Harrân (cf. Kessler, *Méml.*, p. 294) there was a mysterious sanctuary called 'house' or 'treasury of the serpent,' and Ephrem calls the Ophites *d'bēl h'iyid*.

serpent was the grandson of Jaldabaoth, thrown by Barbelo from Heaven,¹ whereupon it generated the vine with mother-earth.² Naturally this unfavorable attitude is due to the abstinence of the Severians from wine; among the older Ophites, where the serpent, as the symbol of the Logos, consecrated the Eucharist, the vine, we may suppose, was thought to spring from the heavenly seed of the divine serpent.³ Much depends upon the point of view.

The relation between the Savior and his mother or sister, the Sophia or Holy Ghost, was just as fluctuating among the different gnostic bodies as that between Tammuz and his mother or sister in Sumerian mythology. The Babylonian parallel enables us to understand why Sophia, as mother of Jaldabaoth-Tammuz, must be a virgin. The closest parallel between the two cycles is the marriage of the Savior with his fallen sister, the lesser Sophia, whom he exalts to a heavenly throne by his side (see above). It is interesting to note that she covers herself with a veil (*κάλυμμα*) when the Savior comes to greet her and to celebrate the *ιερός γάμος*, as this is characteristic also of Šābītu and other forms of Ištar (cf. the veiled goddess of Tell Ḥalaf, disinterred by Von Oppenheim). The holy wedding is described in more detail in the *Acta Thomae* (cf. Bousset, pp. 68 ff.), where the maiden, daughter of the light (*ἡ κόρη τοῦ φωτός θυγάτηρ*), is united to the Savior. She is attended by seven pairs of bridal attendants, who correspond to the seven *sūsapinē*, 'bridal attendants' (Sum. *libir-si*; Tammuz is the *Umun-libir-si*, 'lord of the bridal attendants'), who, according to an unpublished text cited by Langdon (*Tammuz and Ishtar*, p. 29, note), prepare the bridal couch of Innina. Primarily, of course, this is the marriage of heaven and earth, whose union produces life and vegetation.

¹ Cf. Schmidt, *op. cit.*, p. 585.

² The conception is probably very primitive.

³ A very curious and certainly unconscious recrudescence of the weirdest gnostic speculations appears in Baudelaire, who says: "Le vin contient la faculté ... de créer, pour ainsi dire, une troisième personne, opération mystique, où l'homme naturel et le vin, le dieu animal et le dieu végétal, jouent le rôle du Père et du Fils dans la Trinité; ils engendrent un Saint-Esprit, qui est l'homme supérieur, lequel procède également des deux." The gnostics, however, were not geniuses under the influence of *hasheesh*, but inferior minds who handed on the tradition as they received it, only permitting themselves occasionally to harmonize and simplify—or to add to the confusion.

DEBORAH'S ORACLE

BY ELIHU GRANT

Haverford College

"They besought Deborah, a certain prophetess among them (which name in the Hebrew tongue signifies "a bee"), to pray to God to take pity on them and not to overlook them, now that they were ruined by the Canaanites."—Josephus *Antiquity of the Jews* v. 5.

What was the chief function of Deborah in the war for deliverance which was waged in Palestine about the twelfth century B.C.? To her have been assigned the rôles of poetess, Amazon, inciter to revolt, and generally the soul of the movement that led to the freedom and unity of Israel. It is questionable, however, whether these honors are well assigned on sufficient textual authority or whether they are not rather the result of imaginative play upon the manifestly important place occupied by this ancient woman.

Judges, chapter 5, is of unusual value, whether as a literary masterpiece, a historical document, or as a picture of early Hebrew society. In spite of difficulties of text and translation, its arrangement is fairly clear. There is some difference of opinion as to the number of divisions which should be made in the poem, but comparatively little variation of opinion as to where the main divisions fall.¹ It contains a series of episodes which are welded into the unity of an ode of deliverance by the emotional power of the singer and the response of his hearers. The unity becomes true for our consciousness in the degree that we enter into the primitive interpretation.

Each episode presents a picture or symbolizes an action. While there seems to be no literary nexus between the separate scenes, we should certainly feel the naturalness of the transitions which now seem so sharp if we heard a right interpretation of the song. Each strophic paragraph is a unit. Judg. 5:2-5 is a jubilant song of praise to Yahweh; 6-11 is a reflex of primitive society with its order and

¹ Cf. G. A. Cooke, *Com. on Judg.*, Camb. Bible, 1913, p. 54; E. L. Curtis, *Com. on Judg.*, Bible for Home and School, 1913, pp. 55 f.; also Thatcher, *Century Bible*, Moore, *Int. Crit. Com.*, Judg., p. 127, and literature there cited.

disorder. Verse 12 either joins two passages or interrupts a long one, or is itself a short member of the series. Verses 13-18 note the mobilization of the folk; 19-22 represent the battle, and 23-27 the flight and death of Sisera; 28-30 is an antistrophic close and 31 an apostrophe.

Next after chapter 5 our oldest authority is found in 4:4-22, a prose hero-tale.

The fourth and fifth chapters of Judges contain valuable suggestion, perhaps illustration, of the literary relationship between the early prophetic prose writings (JE) and their antecedent poetic counterparts. While we may not say that the poem in chapter 5 is the only or immediate source of chapter 4, it is certain that there is relationship in some degree, for the theme of chapter 5 appears in chapter 4. The leading literary fact concerning these chapters is the occurrence in each of a tale about Deborah, Barak, Sisera, and Jael. The event described about these persons is essentially the same in each chapter.¹

The conflate tradition, in 4:4 ff., says that Deborah was a prophetess, that she dwelt under the palm tree of Deborah, "and the children of Israel came up to her for judgment."² The reference to judgment seems to mean her inspired decisions or oracles given in the cases submitted to her by the folk. In 4:6 ff. she gives such advice to Barak. It is a long prose piece interrupted by Barak, who seeks further aid through her company. According to the additions in the Greek versions Barak feels the need of further divination as to the precise day on which he is to strike the blow. Judg. 4:4 has called Deborah a prophetess, evidently in the primitive sense of prophecy. It is entirely likely that in Palestine, as in early Greece, "prophet" would be an appropriate designation for the interpreter of omens and the giver of oracular decisions in one. The period of Deborah was before the day of division of function

¹ Cf. Burney, *The Schweich Lectures for 1917*, London, 1919, under "Deborah," etc.

² The question is interesting whether this was a "speaking-tree" or one that indicated the divine in some other way. A goodly amount of literature could be assembled on sacred trees, "the palm" and others. See Judg. 20:33; Gen. 14:7; Ezek. 47:19; 48:28; Josh. 19:33 (Judg. 4:11). Notice the "tree of the augurs," Judg. 9:37, and "tree of the oracle" in Gen. 12:6 and Deut. 11:30. Môrê-ḥ-Ethiopic mâri and cf. Babylonian bârû, bâri. See W. R. Smith, *Religion of the Semites*, p. 188: "The oldest altars, as we gather from the accounts of patriarchal sanctuaries, stood under actual trees." See also pp. 195 f. See W. Carleton Wood in *JBL*, XXXV, 45, 180, 184 ff.

seen in the later distinction of prophet and priest at the Hebrew shrines. To the prophetic writer of chapter 4 the figure of Deborah might seem nearly analogous to "prophet" in the usage of his own age.

Judg. 5:12 is the counterpart and certainly the only remaining historical source and background of 4:6-10 and 14. The first half of 5:12 sounds to the writer as if it represented the consulter's appeal to the prophetess at the shrine.¹ Judg. 5:12*b* gives the decision or response to Barak's appeal. It is an encouragement for him to head the oppressed Hebrews in a revolt, and might well be the very expression of an oracular response; but even though not in the original words it doubtless stands nearer to such than the long prose passage in chapter 4. We know that oracles were frequently in rhythmic form, brief, sometimes cryptic. The twelfth verse stands in its present place because that is the appropriately dramatic position in the song to recall the leader's approach to the shrine. After setting forth the necessitous case of the country, the poet suddenly interjected the symbol of the scene at the oracle-tree of Deborah from which sprang the authorization to proceed with the summoning of the tribes and the effort for deliverance.

From the combined traditions of the two chapters we gather that Deborah was not necessarily an Amazon but a much more useful personage, viz., the oracular personality at a famous seat where the perplexed resorted for divine aid. (Note that the Amazonian rôle is allotted to Jael; there would hardly be two such in the same artistic piece.) Barak was already the leader of the folk or was constituted such by the word from the oracle. The present writer inclines to think that he was the leader from the first and that he went to the shrine where Deborah presided to seek the guidance of the divinity. The oracular practice evidently spread about the Levantine arc and is in origin neither Hebraic nor Hellenic but preceded both folk and was inherited by them.

There is nothing in the song to assure us that Deborah was its author. Certain critics have been convinced that the author was a woman, and such have usually indicated Deborah. Opinion has more often been on their side. The rhythmic gift has frequently

¹ Cf. Cooke's preference for reading of LXX Cod. A, *Com. on Judg.*, in *Camb. Bible*.

been possessed by those who announced the decisions of the gods. Among the heathen Arabs gifted utterers of cadenced taunts were employed to hurl defiance and abuse at the foes. Like the satirists they were unbearably stinging in their effect upon the enemy. Often the poets were more dreaded than the warriors. The Semites believe that there is frequently more potency in curses and shafts of wit than in material weapons. If Deborah possessed poetic power of the degree shown in the ode, she surpassed most ancient prophetesses.

Our resultant thesis is that Deborah was the attendant at an important oracular shrine known as The Palm, and that Barak on behalf of the revolting Israelites consulted the divinity at the oracle and received the interpretation through this oracular woman. The basic text for this is Judg. 5:12. Judg. 5:12a symbolizes the appeal to Deborah and 5:12b the response which she gave.¹

Now there are in the JE writings a number of suggestions of oracular seats, persons, and practices. Sometimes the allusions to them are fairly clear, at other times they are mere mementoes of ancient customs which have lost most of their point through the treatment accorded the sources by the prophetic schools. Such prose accounts lack just that which Judges, chapter 4, enjoys, that is, the original poetic version of the events which enables us to make a comparative study. That we have one such case in which an indisputably early poem and a prophetic prose account of the same events have been preserved is in itself an indication of much value.

It is not necessary to suppose that all the extra material in chapter 4 as compared with chapter 5 is to be attributed to other early sources. Experience shows that each successive school or editor inclines to certain amplifications out of his own reflective processes. In fact, reflection tends to work in two directions, to add considerations not justified by the sources and to omit aspects, even archaeologically important elements, contained in a source. The suggestive echoes of early oracular practices in the JE and especially in the Deuteronomic writings cannot be accounted for as later additions but rather as survivals in spite of a tendency to omit

¹ Hitzig, *Gesch. des Volkes Israels* (1869), p. 112: "Die Seele aber des Wagnisses war eine Iatromantis, wie der Griechen sagen würde . . . Namens Debora . . . und zugleich als Prophetin anerkannt." But why not *βουτρώμων* instead of *ἰατρώματος*? However, the analogy with Hellenic practice is seen.

just such data.¹ In Judg. 1:1 we read that "the children of Israel asked of Yahweh, saying, Who shall go up for us first against the Canaanites, to fight against them?" George F. Moore² renders "The Israelites inquired of Yahweh" and comments "consulted the oracle of Y"; cf. 18:5. The phrase does not occur in the Hexateuch, in which the only reference to the consultation of the oracle (Num. 27:21 P₂) is differently expressed." The same scholar reminds us that the phrase is used in Hos. 4:12,³ Ezek. 21:26, and I Chron. 10:13. He thinks that the author of Judg. 1:1 "has in mind the oracle at Gilgal (2:1), long one of the most frequented holy places."

In spite of the discouraging word about oracles in the Hexateuch, we find the practice indicated there. The phrase is indeed different, but in Gen. 25:22, in the account of Isaac and his barren wife Rebecca, we read that after the blessed response of Yahweh, itself probably the result of consultation, the pregnant wife, disturbed by her sensations, "went to inquire of Yahweh"; and we have in Gen. 25:23 a poetic symbol, if not the form, of the response:

Two nations are in thy womb,
And two peoples shall be separated from thy bowels:
And the one people shall be stronger than the other people;
And the elder shall serve the younger.

Now, while verse 23 may not be contemporaneous with its events, as we believe Judges, chapter 5, to be, yet it probably comes from a similar book of poetry and song and is older than the prose context in which it is found. The question raised here is not one of historicity but of religious ideas.

It seems to the writer that the contemporaries of the author of Gen. 25:23 were conscious of customs of oracle consultation analogous to those employed in other lands. Similarly it seems probable that Jephthah (Judg. 11:10) sought counsel according to the usage of oracles. See Judg. 11:11: "and Jephthah spake all his words before Yahweh in Mizpah."

¹ Some influential editor of the post-Deuteronomic age has made us his debtors by including in the Heptateuch considerable ancient lore, some of it bearing on our subject. He had a much more flexible imaginative gift than the later prophetic writers and could appreciate the fitness for a former age of practices no longer tolerable in his own.

² *Judges, International Critical Commentary*, see p. 11.

³ On Hos. 4:12 see Haupt, *JBL*, XXXVI, 89, who supplies qasm=oracle.

In Judg. 13:3 can we imagine the barren wife of Manoah failing to consult the divine power at a shrine about her case? The story of Micah (Judges, chapters 17 and 18), his house of gods, and his priest is in point. There seems, in fact, no surprising lack of testimony to the existence of Palestinian oracles, but rather a failure to imagine how many such shrines existed and how often they were consulted.

In the interesting twentieth chapter of Judges we are told that the folk consulted the deity at Bethel and were led on in a heart-breaking manner, by the responses, to two severe defeats before the final victory. How much of the confusion and evident schematization can be assigned to the several hands and ages, including the work of the priestly redactor, is discussed in the commentaries.

By the time of the J writer religious leaders were inculcating a different concept of divine guidance from that associated with oracles. The inspiration of the greater prophet (Mic. 3:8) was the orthodox way, although doubtless the consultation of divinity at shrines was frequently the practice. By Deuteronomic times the local shrines were taboo in theory at least; all the more wonder that so many reflections of oracular practices survive in a book like Judges. It is surmised that the latest of the great schools (P) is to be thanked for certain of the relics of primitive social and religious practice. The appeal at the oracular shrines was made constantly by the earlier Canaanites and often by the Hebrews. We have reason to believe that the custom never wholly ceased. Modern writers speak convincingly of its existence today.¹ The beginnings of these practices are lost in a remote antiquity. The materials for the study of the subject are plentiful. The neighbors of the Hebrews in Egypt, Syria, and Hellenic lands were accustomed to seek the aid of the unseen powers through the responses of the oracles.

A few items are found in all the rites:

1. Special spots or objects where human beings might more readily feel the approach to superior power.
2. The taking of problems and often of gifts to the divinity or to the custodians of shrines.
3. Sensuous media believed to be the vehicles of divine responses.

¹ S. I. Curtiss, *Primitive Semitic Religion Today*.

4. Interpretation by the seeker or by an attendant at the shrine of the responses, in a manner or content germane to the problem.

The power and fame of the shrines tended to increase. The rise of new cults did not necessarily overcome the oracles, which often lent themselves to or were taken over by successive faiths. Sometimes they suffered hostile attack, were suppressed, but quite as likely they survived disfavor and in some form or to some clientèle continued potent. Certain of the ancient shrines have survived to modern times, some as holy cities, many as obscure shrines of the country folk.

Among the services of oracle shrines we note:

1. A private or restricted social service, often illicit. By their aid lost articles were found, woes of individuals attended to, and a sense of awe spread throughout the neighborhood.

2. Next in importance was their service as religious and moral arbiters of large groups.

3. They became powerful in politics. In this last and perhaps most glittering majesty the shrines were most vulnerable. If ever they were stripped of influence it was in the order 3, 2, 1, of the points above mentioned.

The reputation of an oracle depended upon its inspiration, its ready responsiveness, and its wide and versatile appeal. Inspiration depended upon the residence or favor of the powers and was tested in the aptness of the shrine or divinity to meet the needs of applicants. If the oracle were too often dumb or wrong or special in its service, it would to that extent be circumscribed and in danger of atrophy.

There is fascinating interest in the subject of oracles because they contain a persistent item of religion, the intercommunicability of the seen and the unseen, the reading of Nature's cryptograms, the appeal to the greater by the lesser, prayer and communion. It is one of the greater mysteries of religion, and we remember in this connection a passage from *The Old Testament in the Jewish Church* (W. Robertson Smith, p. 10): "It is the inner history of the converse of God with man that gives the Bible its peculiar worth."

AN ORIENTAL MODERNIST

BY HENRY PRESERVED SMITH
Union Theological Seminary, New York

The modernist is characterized by two things: First, he is a churchman who desires to retain his connection with his church. Secondly, he has studied modern philosophy and modern historic methods, and desires to adopt as his own the accredited results of such study; where these are in conflict with the doctrines authoritatively enunciated by his church he would have the doctrinal statements modified, or at least would have the church give him liberty to teach what he believes to be true. The term seems to be applied generally to members of the Roman Catholic church, and it is true that the conflict of ideals is most keenly felt in that church, both because the medieval philosophy is there most strenuously held, and because the rigid discipline applied to the clergy of that church forces the individual scholar to search his conscience in the confessional. One thing more may be noted: the Roman Catholic modernist does not seek to identify himself with any Protestant communion, partly because he has been taught from his youth to regard all Protestants as rebels against the true faith, partly because he finds most Protestant churches holding to the same antiquated philosophy which in his own church has given him so much heart-break.

Now if the progress of science has given rise to the modernist movement in the Christian church it is not improbable that the teaching of the same science to men of other faiths will have a similar effect. And it is obvious that the more highly developed theological systems outside the pale of Christianity will most plainly show this effect. This is what is happening. Among the non-Christian religions none is more rigid in its dogmas than the one which we call Muhammadanism, but which its votaries call Islam. As occidental learning is introduced into Muhammadan lands the phenomenon which we call modernism appears. Evidence is a book which has

come into my hands, written by an Indian Moslem named Abdur Rahmān. Its title is *A Critical Examination of the Sources of Islamic Law*,¹ and the author is a barrister at law of Lincoln's Inn, London, and counselor at law of the Supreme Court, Northwest India. It is evident that he is acquainted with Western legal lore both English and German, for, curiously enough, his book, published in London in 1914, is written in the German language. The title of his book, *A Critical Examination of the Sources of Islamic Law*, indicates that he wishes to apply modern methods to the system in which he was indoctrinated in his youth.

How much this means will be evident if we reflect a little on the Muhammadan social system. In that system the distinction which we draw between church and state is unknown. The church is the state, and the state is the church. Instead of a state-church we have in Islam a church-state. The caliphs, successors of Muhammad, hold their office by virtue of being heads of the *religious* community. If the papacy had succeeded in making itself the supreme civil as well as the supreme ecclesiastical power in the Western world we should have had a parallel. The offices of pope and emperor would then have been united in the same person, and (what is important for our present discussion) the law of the church-state would have been the canon law.

Muhammadan law has developed exactly on this line. According to the Moslem authorities all law is based on the Quran. There is in fact no distinction between the lawyer and the theologian, for the lawyer's first duty is to expound the sacred book. It is as though among us courses in exegesis of the Scriptures were made essential in every law school. What Muhammad enjoins in the Quran is civil law as well as canon law, and the Moslem ruler is bound to judge according to that standard. For example, Muhammad ordered that if a man said to his wife, "You are divorced," and then repented of his rash words, the divorce did not take effect. If he said it the second time the same would be true. But if he said it the third time he could not take her back until she had been married to another man and divorced by him. This, being Muhammad's

¹ *Eine kritische Prüfung der Quellen des islamitischen Rechts.* Oxford University Press, 1914.

ordinance, is the unchangeable and eternal civil law in all Muham-madan states.

But since the Quran does not provide for all cases that may arise the lawyer-theologians were compelled to look about for another source, and this they found in the example of the Prophet. While Muhammad was alive he was the umpire of the community in Medina. His followers recognized him as the Apostle of Allah. His decisions had the force of law, even when he did not claim that they were divinely revealed. After his death, when questions arose which were not decided by the Quran, his companions were asked what the Prophet had done in similar cases. Thus there grew up an immense body of tradition, at first handed down orally but later put into writing. That the most of it is unreliable, that is, that it does not actually report what the Prophet said, does not concern us here. In its written form it is regarded by the legal authorities as a second source of law.

But law never ceases to grow, and new questions arose for which neither Quran nor tradition had an answer. A third source was therefore looked for and found in what was called the common sense of the community. In the early days, soon after the death of their leader, the Moslem judges used to ask the advice of the comparatively compact community in which they lived, and were guided by that. On the basis of this common usage—for such it would naturally be—there grew up a supplementary tradition. The consent of the community came to mean in reality the consent of the early Moslem community, and since the class of learned men—in this case theologians and lawyers—easily arrogates to itself all wisdom and authority, the legal consensus came to mean the tradition of the lawyers. Conservatism is notoriously the mark of this caste, more conspicuously in Islam than anywhere else.

Finally Moslem jurists have taken refuge in a fourth source of law. Where the other three are insufficient they allow *analogy* to be brought into play; that is, they search the Quran, the Hadith, and the recorded agreement of the learned for a case similar to the one before them, and argue from the resemblance. This is therefore not an independent source but an extension of the other three beyond the bounds of the letter. On this account it is regarded with suspi-

cion by the more rigidly orthodox, to whom innovation is anathema, as according to tradition it was to Muhammad.

What I have said will enable us to estimate the radical nature of the departure made by the Moslem modernist Abdur Rahmān when he *denies* the binding nature of all four of these sources of law. Not that he gives up his religion, closely woven though it is with the legal system in which he was brought up. He makes this plain at the outset by quoting from the Mufti of Egypt this declaration:

We are ready to learn from Europe and America all that concerns the material side of life. But when it comes to religion we stand and shall continue to stand apart. In religious matters we [the Moslem lawyers and theologians] are the only and exclusive authorities. Islam is our religion; we alone live in it; we alone comprehend it.

To this citation our author adds his profession of faith in the unity of Allah, the divine mission of Muhammad, and the inspiration of the Quran. This book, he says, since it is of divine origin, is perfect and unexcelled and can never be equaled. But exactly at this point his divergence from the orthodox school begins. He admits that the Quran is a book of moral precepts, but *denies* that it is a code of laws. How radical this statement is we can appreciate, bearing in mind what has been said about the social structure of Moslem society, of which the Quran is in fact the very cornerstone.

Abdur Rahmān next considers the body of traditions which, as we have seen, are a second pillar of Moslem law. He properly points out that the six codes which are recognized as canonical were not written down until three hundred years after Muhammad's death. Further, although the editors of these collections attempted to exercise a critical judgment in making their selection from the mass of material at their disposition, their critical principles were not such as we with our historical method can approve. The conclusion is that this Hadith is neither convincing nor applicable to present conditions.

Then comes the *Igma*, the consent of the community, which as we have seen means the consensus of legal opinion. This also is rejected by our modernist; he ~~could~~ indeed allow it if it means the consent of the living community, for that would open the path to real progress. But this is precisely what orthodox Moslem

authorities cannot allow. Innovation is abhorrent to them. The kind of consensus which they uphold is therefore rejected by our author.

Having disposed of these three sources of law the author has little difficulty with the one which remains—the analogy of faith. In fact, this being but an extension of the other three, it falls to the ground of itself when they are discredited. The thing which seems to escape the author's attention, but must be evident to us, is that in clearing the way for legal reform he is undermining the whole social system of Islam. Two examples will be sufficient to make this clear.

The two social institutions against which civilization as we understand it most distinctly revolts are slavery and polygamy. That both were sanctioned by Muhammad, or rather that finding both in existence it never occurred to him to protest against them, is a matter of historical knowledge. Doubtless, being a humane man, he desired to make the lot of the slave tolerable. He recommended that slaves should be well treated, and he recognized the emancipation or the redemption of a slave as a meritorious act; but the very fact that he made this attempt at amelioration shows that he regarded the institution as a part of the social order. And his conduct was in accord with this belief, for when he subdued the Jewish clan of Qainoqa and massacred the men in cold blood he sold the women and children into slavery. Nevertheless our author asserts that slavery is not recognized in the Quran, "which teaches that all men are one family and that all Moslems are brothers." The brotherhood of all who believe in Muhammad is undoubtedly taught in the Quran, but that this relationship extends to those of other religions is nowhere asserted, and in fact is distinctly denied, and the brotherhood of Moslem master and slave is not allowed to interfere with the rights of the master or to change the status of the slave. The Prophet by his example, and in at least one passage by precept, taught that captives in war should be enslaved, and this has been the practice of his followers to the present day. Where slavery has been abolished in Muhammadan communities this has invariably been due to pressure from Christian nations.

In the matter of polygamy the facts are equally clear. In the early Arab communities there seems to have been no limit set to the number of wives that a man might legally possess. Muhammad in this case also attempted to lighten the evils of the existing system by enacting that a man should not have more than *four* wives. There would seem to be no possibility of misunderstanding the language of the Quran: "Take in marriage of such women as please you, two or three or four. But if you fear that you cannot act equably then one, or the slaves which your right hand possesses." Moslem jurists interpret the verse correctly when they say that it authorizes four wives of the first rank and as many concubines as a man can purchase. It seems strange, therefore, that our author can persuade himself that the sacred book recommends monogamy and only intends that a man may marry four wives in succession, not more than one to be his consort at one time. The practice of the Prophet himself is well known. After having given the divinely revealed command which I have just quoted, he published another revelation dispensing himself from obedience to the command and allowing him to take as many wives as he pleased. He had in fact as many as eleven at one time, and gave the correct interpretation of his language about female slaves by taking possession of his maid-servant Miriam, who bore him a son.

The conclusion of the book I am discussing, which shows the author's aim, is as follows:

Now we are free from the fetters of analogy, Igma, and tradition, and have shown that the Moslem law can consist only of the fundamental principles which are formulated in the Great Quran, such principles as are in harmony with the dictates of reason, common sense, and the human mind. On these foundations Moslem jurisprudence must be built up anew, in agreement with the spirit of the times, better adapted to the necessities of the present age.

We must all sympathize with this purpose to reform the antiquated system which prevails in Muhammadan society, but we cannot shut our eyes to the strength of the opposition which the author will meet from his coreligionists when he comes to apply his theories to practical life. Religion is so closely interwoven with all the social institutions of orientals that the endeavor at reform meets with the stoutest

resistance. Our author himself gives us evidence on this point. Evidently he cannot let go of his religion. He eulogizes the Quran—the Great Quran as he calls it—as a book of divine origin, absolutely perfect and unparalleled. Muhammad is the last and greatest of the prophets, and he received his book by direct divine inspiration. Nevertheless even here his rationalism breaks with the views sanctioned by the orthodox. As is well known, the theologians of Islam have adopted the strictest theory of verbal inspiration. According to them the Quran existed from eternity in heaven, being written on a tablet of gold in the very words in which it was revealed to Muhammad. The angel Gabriel from time to time dictated the chapters to the Prophet, and once a year went over the whole with him so as to prevent the possibility of mistake. Our author will have none of this. God does not speak to men in human language, he says. The angels and devils spoken of in the Quran are not intelligent spirits, but only names for the beneficent or harmful forces of nature. The dictation of Gabriel is only an erroneous superstition of some believers who took the traditions too literally; and the belief in the well-guarded tablet on which the autograph of the book of God is written is likewise an irrational superstition.

Irrational this belief may be, but it has been held by all the great theologians who have formulated the religious beliefs of Islam for a thousand years, and it is still taught in the great Muhammadan schools. When we reflect on the influence which men learned in the law—and this means the theologians as I have said—when we reflect on the enormous influence which these men still have in Moslem society we can imagine the storm of opposition which will meet this author and men of like mind, should they really attempt the reform they have in mind.

I have called the author of this book a modernist. In fact he reminds us of the Catholic modernists whose career we have watched with interest in countries nearer to us than India. Like them he wishes to give free course to modern thought, and like them he wishes to retain the religion in which he has been brought up. This is not strange. The Roman Catholic modernist has been from his earliest childhood a pupil of his church. He has looked upon Protestants as rebels against the divinely given authority of that church. He

does not wish to leave the church, though he may wish to reform it. Now the Muhammadan is more closely attached to his Quran and to its author than the Roman Catholic is to the church. From his earliest years he has heard the words of the sacred book. When he went to school it was his textbook. All the warmth with which the oriental clings to his religion is kindled by its language. And on the other hand Christians have always been represented to him as his inferiors. Theoretically he recognizes that they have a divine revelation. But he believes that that earlier revelation has been superseded by the one given to the Arabian prophet, and, besides, that Jews and Christians have wilfully perverted their Bible so as to conceal the predictions which it originally contained, and which pointed to Muhammad as the crown and seal of the prophetic line. When we reflect on this attitude (so ingrained in all Muhammadan thought) about men of another religion we understand why missionaries find Moslems the most difficult of all men to approach with the gospel, and why even the most enlightened among them refuse to accept our religion.

Nevertheless I think we may regard the book before us as a hopeful sign. It shows that Western thought is making inroads on the territory so carefully guarded by Moslem science. Perhaps one of the best results of Christian missions will be found to be such efforts to reform other religions and to introduce the institutions of modern society where hitherto they have been unknown.

Critical Notes

AN ANALYSIS OF THE HAMMURABI CODE¹

The Laws of Hammurabi have been compared with the Mosaic Torah (Oettli, Mueller), with the XII Tables (Mueller), with the Talmud (Linfield, *AJSL*, XXXVI, pp. 40 ff.), but none of these groups of laws throws any light whatsoever on the arrangement of the Babylonian laws.

Professor Lyon, whose analysis has been accepted as the best, refrains from comparing the code with any other body of laws. His paper proved beyond any reasonable doubt that the laws were grouped under two main headings: Property (6-126) and Persons (127-282).

The purpose of this paper is primarily to analyze the code and incidentally to indicate some unexpected coincidences between the ancient Babylonian and the classical Roman jurisprudence.

ANALYSIS OF THE CODE

I. THE LAW OF PROCEDURE (1-5)¹

1. False accusation (1-2)
2. False witness (3-4)
3. False decision (5)²

II. THE LAW OF PROPERTY (6-126)³

1. *The possession of property* (6-52)⁴

A. Illegal Possession (6-25)⁵

a) Unwitnessed theft (6-20)⁶

1) of things (6-13)⁷

a. sacred and public (6-8)⁸

b. private (9-13)

2) of persons (14-20)

a. free (14)⁹

b. slave (15-20)¹⁰

¹ Abbreviations: Cuq (Ed. Cuq: *Le Institutions Juridiques des Romains*², Paris, 1904-8); D (*Justiniani Digesta*); G (Gall *Institutionum juris civilis commentarii*, IV); Karlowa (O. Karlowa: *Roemische Rechtsgeschichte*, Leipzig, 1885-1901); Roby (H. J. Roby: *Roman Private Law in the Time of Cicero and the Antonines*, Cambridge, 1902). Literature on the structure: Kohler, Peiser, Ungnad: *Hammurabi's Gesetze*, 1904-9; D. G. Lyon (in: *Jour. Amer. Or. Soc.*, XXV, pp. 248 ff.); D. H. Mueller: *Die Gesetze Hammurabis*, etc., Wien, 1903; S. Oettli: *Das Ges. Ham. und die Torah Israels*, Leipzig, 1903.

- b) Witnessed theft (21-25)
 - 1) violent (21-24)¹¹
 - 2) clandestine (25)¹²
- B. Legal Possession (26-52)
 - a) Benefice of public lands (26-41)¹³
 - 1) conditional possession (26-31)¹⁴
 - 2) inalienable possession (32-41)¹⁵
 - b) Use of private lands (42-52)
 - 1) rented farm (42-47)
 - 2) mortgaged farm (48-52)¹⁶
- 2. *Ownership of property* (53-65 ff.).¹⁷ Rights of the owner:
 - 1) Protection against damage caused by: (53-59)¹⁸
 - a. water (53-56)
 - b. cattle (57-58)
 - c. man (59)
 - 2) Lease of land (60-65)
- 3. *Acquisition of property* (100-126). Forms of commerce:
 - 1) Partnership in trade (100-107)
 - 2) Wine traffic (108-11)
 - 3) Transportation of goods (112)
 - 4) Debt (banking) (113-19)
 - 5) Storage of grain (120-21)
 - 6) Deposit of valuables (122-26)

III. THE LAW OF PERSONS (127-282)

- 1. *The family* (127-93)
 - A. Marriage (127-61)
 - Slander of wife (127)¹⁹
 - a) The marriage contract (128)
 - b) Dissolution of marriage (129-43)²⁰
 - 1) adultery of wife (129-32)
 - 2) absence of husband (133-36)
 - 3) divorce (137-43)
 - a. by husband (137-40)
 - b. by wife (141-43)²¹
 - c) Domestic restrictions (144-52)
 - 1) personal (144-49)
 - a. restriction of right to take concubine (144-45)
 - b. restriction of right to sell slave wife (146-47)
 - c. restriction of rights over diseased wife (148-49)
 - 2) pecuniary (150-52)
 - a. restriction of rights of heirs (150)
 - b. restriction of seizure for debt (151-52)

- d) Crimes relating to marriage (153-58)
 - 1) connivance of wife with murderer (153)
 - 2) incest (154-58)²²
- e) Breach of promise (159-61)
- B. Inheritance (162-84)
 - a) The estate of the wife (162-64). Heirs:
 - 1) children (162)
 - 2) father's house (163-64)
 - b) The estate of the husband (165-84). Heirs:
 - 1) Grown-up sons (165-76)
 - a. father free (165-71)
 - mother free (165-69)²³
 - mother slave (170-71b)
 - 2) Wife (171c-174)²⁴
 - b. father slave (mother free) (175-76a)
 - 3) Minor children (177)
 - 4) Daughters (178-84)²⁵
- C. Adoption (185-93)
 - a) When can the adopted child be reclaimed? (185-90)
 - 1) not reclaimable (185-88)
 - 2) reclaimable (189-90)
 - b) Inheritance by adopted son (191)²⁶
 - c) Ingratitude of adopted son (192-93)
- 2. *Liability* (194-282)²⁷
 - A. Liability arising from Tort (194-227)²⁸
 - Change of infant by nurse (194)
 - a) Bodily injury or death (195-223)²⁹
 - 1) caused by assault (195-214)
 - a. males (195-208)
 - malicious injury (195; 196-99; 200-205)
 - unintentional injury (206; 207-8)
 - b. females with young (209-10; 211-12; 213-14)
 - 2) caused by malpractice (215-23)
 - a. of surgeon (215-17; 218-20)
 - b. of physician (221-23)
 - b) Pecuniary loss (224-27).³⁰ Malpractice of:
 - a. veterinary doctor (224-25)
 - b. brander of slaves (226-27)
- B. Liability arising from Contract (228-82)
 - a) Hire of labor (228-77)
 - 1) contract for job (228-67)³¹
 - a. house-building (228-33)
 - b. boat-building (234-35)

- c. navigation (236-40)
- d. agriculture (241-60)
 - ox (241-52)
 - overseer (253-56):
 - farm laborer (257-58)
 - theft (259-60)
- e. shepherding (261-67)
- 2) contract by the day (268-77)²²
 - a. animals (268-70), teams (271-72)
 - b. laborer (273), artisan (274-75)
 - c. boats (276-77)
- b) Purchase of labor (slaves) (278-82)
 - a. contract null (278; 279; 280-81)²³
 - b. rebellious slave (282)

NOTES

¹ Like the Roman *Jus civile*, the Hammurabi Code is divided into 3 sections: *Jus actionum*, *Jus rerum*, *Jus personarum* (usually in reversed order in Roman law).

² Cf. D, XLII, I, 55 (Judex postquam semel sententiam dixit corrigere sententiam non possit).

³ Hammurabi separates sharply "possession" and "ownership" as Roman law did (e.g., D, XLIII, 17, 1.2). (Cf. note 17.)

⁴ The distinction of *justa* and *injusta possessio* was made by Roman authors, although these terms were not considered technical (Roby, I, 453).

⁵ For Hammurabi theft created an illegal possession and was treated under this head; Rome saw in it a form of liability, while modern law considers it a crime.

⁶ Hammurabi and Rome classified theft in *manifestum* and *nec manifestum* (G, III, 184-85); the original punishment of the first in both systems was death, which was later reduced to a heavy fine (for Rome see Cuq, II, 471).

⁷ For the distinction of *res sacrae*, *publicae*, and *privatae*, cf. G, II, 4, et 11.

⁸ On law 7, cf. Karlowa, II, 311 ("So war ein Sklave, ein *filiusfamilias* einer *naturalis*, nicht aber einer *civilis possessio* fähig").

⁹ Cf. G, III, 199

¹⁰ For the theft of slaves, cf. D, XIX, 5, 15, et XLVIII, 15, 6. In Rome the harboring of a *fugitivus familiaris alienus* could be prosecuted with an *actio furti* (cf. Mueller, 192, and references).

¹¹ Cf. G, III, 219 (*vi bonorum raptorum*).

¹² Cf. Roby, II, 217 (*ex incendio rapinae*).

¹³ Feudal tenure, so familiar in the Middle Ages, seems to be unknown in Roman law.

¹⁴ The benefice is forfeited by hiring a substitute (26) or neglect of land for 3 years (30-31). Capture causes a temporary loss of possession (27-29).

¹⁵ The land cannot be transferred by the beneficiary to another person, nor can it be taken away from him without just cause.

¹⁶ "If a corporal object was passed into the possession of the creditor as security for the discharge of an obligation it was properly *pignus*, if it was not put in possession, but treated by agreement as such security, it was *hypotheca*" (Roby, II, 102). Law 48 is a case of *hypotheca*, while 49-52 refer to the *pignus*.

¹⁷ After 53-56, which mark the transition (a usual feature of Hammurabi's juristic technique), we have passed undoubtedly from the subject of possession of real estate to that of ownership of the same. While laws 42-52 treat of the tenant (*šumma awlūm eklam ana errešūtim ušešema*, 42) in 57-65 ff. the subject becomes the *bēl eklam* and the *bēl kirtim* (*passim*), and tenancy is now considered from the point of view of the owner (*šumma awlūm eklam ana kirtim zakapim ana šakinim iddin . . . 60*).

¹⁸ Cf. with 57 f. the *actio de pastu pecoris* (XII, Tab. and D, XIX, 5, 14, 3), and with 59 the *arborum furtim caesarum actio* (XII, Tab. and Roby, II, 194).

¹⁹ The two great sections of the Law of Persons begin with an article loosely connected with the context (127 and 194). R. Dareste (*Le code Bab. d'Ham.*; *Nouv. Rev. hist. de droit franc. et étr.*, XXVII, 18) remarks on 127: "Ici se trouve un article isolé qui ne paraît guère à sa place." We must admit however that we could not find a more suitable place for these laws.

²⁰ Cf. D, XXIV, 2, 1.

²¹ T. G. Pinches (*Encyclopedia of Religion and Ethics*, V, 722) and M. Jastrow, Jr. ("Older and Later Elements in the Code of Hammurabi," *Jour. Amer. Orient. Soc.*, XXXVI, 1 ff.), deny the right of the wife to take the initiative in a divorce suit. Law 142 proves, however, that the wife could eventually win a divorce suit.

²² A man cannot contract marriage: with his daughter (154), with his daughter-in-law (155), with his future daughter-in-law (156), with his widowed mother (157), and with his widowed stepmother (158). The marriage of brother and sister does not seem to be prohibited (as it was in Roman law). Cf., for *nefariae nuptiae*, Roby, I, 128-29.

²³ Disinheritance of sons was optional at Rome (G, II, 123 ff.; *Just. Instit.*, II, 18, pr.). On gifts to sons, see Cuq, II, 689.

²⁴ We would expect 171c-174 after 176a. Whether this section was accidentally misplaced or actually was intended to appear here we cannot decide.

²⁵ Two classes of daughters are distinguished: (a) religious votaries (178-82). The various designations (*entum išippatum*; *zinnišat zikrum*; *išippat gagim*; *išippatu kadištu*; *zērmaštu*; *išippat ilu Marduk*) are not

yet clearly understood (see Lyon in: *Studies in the History of Religions Presented to C. H. Toy*, 1912). (b) daughters by a concubine (?) (*SU.GE-tim*) (183-84).

²⁶ Cf. G, II, 136.

²⁷ If our analysis of laws 194-282 is correct, the parallelism with Roman law is most striking. G, III, 88, classifies the *obligationes* in two groups: *ex contractu* and *ex delicto*. All of Hammurabi's subdivisions of these two groups (in addition to others lacking in the Babylonian law) are found in Roman Law (cf. notes 28, 31, 32).

²⁸ G, III, 182, distinguishes four forms of *obligationes ex delicto*: *furtum*, *rapina*, *damnum*, *injuria*. The first two are considered by Hammurabi as forms of illegal possession (laws 6-25).

²⁹ Cf. G, II, 220 ff.

³⁰ Cf. the *Lex Aquilia* (G, III, 210 ff).

³¹ This contract is the *Locatio conductio operis faciendi* (Roby, II, 174 f.).






³² The Roman *Locatio conductio operarum* (Roby, II, 174).

³³ On law 178 (one of the most interesting of the Code) cf. Cuq, II, 413, and D, XIX, I, 13, 1; XXI, I, 4.

R. H. PFEIFFER


CAMBRIDGE, MASSACHUSETTS

THE ORIGIN OF THE SIGN URAŠŠU

When the writer was working on his *Origin and Development of Babylonian Writing*, the sign Uraššû, , puzzled him greatly. Delitzsch, the only scholar who had up to that time attempted an explanation of the origin, thought it was composed of , "side," plus , "great"—a theory that did not commend itself. Two forms of the sign are found in the early inscriptions. Urnina, ruler of Lagash in southern Babylonia, writing about 3000 B.C., employs the form , while an undated inscription of about equal age, written probably, as the paleography suggests, in northern Babylonia, uses the form . Neither of these forms suggested at that time a picture of any recognizable object; the writer accordingly fell back upon the meanings for a suggestion. These included the gods Anu, Enmashtu (Ninib), Ibba, and Urash, a storm-cloud, a swarm of fish, a seer, some kind of a band, an all-enveloping garment, and an inclosed place or chamber, besides two words of doubtful translation.


The conclusion then arrived at was that "the real origin is obscure. Perhaps it was the representation of a storm-cloud, which naturally stood for a deity and was then extended to designate other deities. The enveloping nature of the cloud may have suggested an enveloping garment worn by priests, and a development of this might give the meaning *seer*. Or possibly the development was the other way. The picture may have represented some garment with a band about it worn by priests, and, from the garment, it came, in time, to stand for an enveloping cloud and then for deity."¹ In making this suggestion it was assumed that the form of the sign found in the inscriptions of Urnina was the oldest and stood nearest the original.

Recently in making a new study of the inscriptions of Urnina, the writer endeavored to determine the meanings of the names of the buildings which Urnina erected and the nature of the different structures. In order to do this he had recourse (1) to the possible translations of the Sumerian names, and (2) to the remains from Urnina's time found at Telloh and described in De Sarzec's *Découvertes en Chaldée*, De Sarzec and Heuzey's *Une ville royale chaldéenne*, and Gaston Cros's *Nouvelles fouilles de Telloh*. At once it was apparent that the only meaning of Uraššu that would apply to a building was *tupugtu*, "inclosure" or "chamber." Repeatedly Urnina says "I built the *ib-gal*," "the great inclosure" or "the great chamber." In connection with the sign in question he always uses the adjective *gal*, "great."

One of the most striking structures found in this lowest stratum of Telloh was a staircase. To speak accurately it was a series of staircases, because there was more than one. They were built on somewhat different levels and at different times. The French archaeologists designate it "le grand escalier." Naturally it occurred to one's mind to connect, at least tentatively, the great *ib* with "le grand escalier," and to the writer's delight, when the form of the sign employed in northern Babylonia was turned about as it stood in the earliest writing, when the lines still ran up and down as they still do in Chinese, it was evidently a picture of an inclosure or chamber, up the outside of which ran a staircase, thus .

It seems clear, therefore, that we have discovered the pictographic origin of the sign. It represented a sacred chamber, perhaps the holy of holies of the temple, up to which, on its exterior wall, a staircase led. Naturally the picture of this sacred chamber could stand for the god worshipped there, for the priest or seer who served him, and, in time, for the garment which enveloped the seer. Later, when the god was identified with the storm-cloud, the sign was employed to designate that also.

¹ Barton, *The Origin and Development of Babylonian Writing*, Part II, p. 240.

From this identification two consequences follow, one paleographic, the other historical. Paleographically the form , used in northern Babylonia, is earlier than the form , employed by Urnina. Historically the inscriptions of Urnina connect him with the building of the grand staircase at Telloh.

GEORGE A. BARTON

BRYN MAWR COLLEGE
BRYN MAWR, PA.

Book Reviews

THE MANICHAEAN SCRIPTURES

If Mithra and his cult were in the early centuries rivals of the Christ and Christianity serious and important enough to call forth studies like those of Cumont, Christianity after the attainment of its canon, its supremacy in the Roman world, its orthodoxy, had scarcely a greater and more dangerous rival than Mani and Manichaeism. It came, like Mithraism, from Persian lands, and like it was of an eclectic syncretism with an appeal to the popular imagination. Though it did not enjoy great honor in its home land, more particularly with the governmental authorities and the exponents of the state religion, it preceded Christianity into the populous and interesting, though to the Western mind unfortunately utterly remote and foreign, regions of Shamanism, Brahmanism, Taoism, and Buddhism, and throughout the Middle Ages remained more than a rival of Christianity there.

This significant factor in the religious life of humanity has, of course, been carefully studied for many years, and large and important volumes have been dedicated to its history and to a systematic presentation of its teachings. But with it all there has remained about it much of a problematic nature, much that was mysterious and unintelligible. This was due not to lack of diligence and acumen on the part of authors, many of whom wrote a half-century or more ago, but to the lack of good source-material. Owing to severe governmental repression, accompanied in the end by considerable decrease in popular interest, the scriptures and literatures of the Manichaeans had largely disappeared, and fragments of them and information about them and their adherents were obtainable only from adverse polemical writings.

Of late, especially through explorations and excavations in the heart of Asia, a considerable amount of better source-material has been added to our scanty store. But, though Cumont himself devoted considerable "Researches" to the problem, Manichaeism has not yet found its Cumont. The latest extensive publication on the subject, two volumes by Prosper Alfarc,¹ is not intended to furnish this full and final study, but rather to prepare the way for it by most necessary preliminary labors. In the very nature of the case, the source-material referred to above, both new and old, was scattered far and wide in many volumes, some of them high in price or out of print, and difficult to obtain at any price. It will, therefore, be most

¹ *Les Écritures Manichéennes*. By Prosper Alfarc. I. *Vue générale*, III+154 pages; II. *Étude analytique*, 240 pages. Paris: Émile Nourry, 1918-19.

gratifying to other students, as well as to Dr. Alfarić himself, to have it thus gathered up in small compass and in convenient form.

The first volume gives a very good general survey in two parts, the first dealing with the "Constitution," i.e., the origin and general characteristics of the scriptures and sacred writings, composed, adopted, or used by Mani and the Manichaeans, the second with the history of these books, their propagation and wide dissemination, followed by rapid and pretty thorough disappearance, which left but few and not extensive fragments surviving. A brief sketch of these survivals and a general appreciation of their interest, meaning, and value concludes the volume. The second volume presents the documents themselves. The first part analyzes in great detail and gives much in complete translation of what remains of scriptures properly Manichaean, the writings of Mani himself and of disciples and followers. The second section sketches, quite naturally in somewhat less detail, the scriptures adopted by the Manichaeans, Jewish, Christian, and pagan, the latter including with Hellenic works, Zoroastrian or Mazdaean and Buddhistic writings. This arrangement entails some repetitions, which to the author meant added labor; to the student these will be a help rather than a hindrance with such refractory materials.

Dr. Alfarić was well prepared for his difficult undertaking by his studies on the intellectual development of St. Augustine, whose writings are one of the chief sources, in some respects the most important, for the history and the sacred literature of Mani and his church. The excellence of the work is further guaranteed by the fact that the publication was encouraged by the Société Asiatique. The student may therefore in the main safely trust the facts and materials presented.

It goes without saying, that work entailing collection of materials from modern publications in French, English, German, Russian, etc., about writings preserved in a fragmentary way in Latin, Greek, Syriac, Arabic, Persian, Chinese, etc., cannot be of absolutely even excellence nor wholly up to date throughout, more particularly because no small amount of this work was done during the great world-war, from the shadow of which we are barely emerging. Even the extraordinarily able, diligent, and painstaking Chauvin was not able to attain perfection in his standard *Bibliographie Arabe*. Considering the difficulties under which the work was done the reviewer cannot but express admiration for the degree of accuracy and completeness attained by Dr. Alfarić.

It was hardly to be expected that notice should have been taken in Volume I, page 15 (note 11), and Volume II, page 124 (note 2), of the reviewer's own brief examination of the source-material on Harmonius, son of Bardaisan, *AJSL*, XXXII (1916), 199-202. It is less easy to understand how Lidzbarski's publication of the text of the Mandaean *Sidra de Jahja*, which came out in 1905, escaped the author's eye (Vol. I, p. 6, n. 6), though of course war-time conditions may well have prevented him from

knowing about the second volume, containing introduction, translation, and commentary, which appeared in 1915. On Mazdak and the Mazdakites, it seems to the reviewer that Noeldeke's *Geschichte der Sassaniden*, Arthur Christensen's *L'Empire des Sassanides*, and Barthold's "Die persische Schu'ubiya," *ZDMG*, XXVI (1912, *Fest-Schrift für Ignaz Goldziher*), 249-66, should have been consulted and mentioned.

The reviewer, being an Arabist, was particularly gratified to find much grist for his mill in Dr. Alfarc's publication. There is not a little that is new and good, and still more that gives impetus to new research and re-examination of former opinions on the relations of Mohammed and Islam to Sabians, Mandaeans, and Manichaeans. To one or two points, however, the reviewer believes he must take exception. The statement (Vol. I, p. 75) that translation of Manichaean writings was not possible during the time of the Umayyads can hardly stand. The author himself mentions facts that make this bald statement rather doubtful (Vol. I, pp. 73 f.), and the writings of Henri Lammens on the period of the Umayyads will go far toward changing Dr. Alfarc's opinion on this matter. In this connection the reviewer must beg Dr. Alfarc to revise his writing of Hadjdjâdj b. Jusuf (Vol. I, p. 73), as, indeed, the transliterations throughout will bear generous revision. Such revision has evidently been begun, but has not been carried through in the case of Theodore Abû Qurra (written *abou-Karra*, Vol. I, p. 74, where "ou évêque de Carrhes" should be deleted; *abou-Kourra* thereafter, until Vol. II, Index, p. 234, has *abou Qourra*). On Ibn al Moqaffa and *Kalila wa Dimna*, Vol. I, p. 76, Hertel, *Das Pañcatantra*, Leipzig, 1914, p. 392, n. 1, and, especially, Noeldeke, *Burzoe's Einleitung zu dem Buche Kalila wa Dimna*, Strassburg, 1912, pp. 3 f. and p. 15, should be added. The reviewer was rather surprised to find his old friends, the Barmecides, one time considered Zoroastrians, classed as Manichaeans (Vol. I, pp. 79 and 102); perhaps Barthold's article on "Barmak" in the *Encyclopedia of Islam* will convince Dr. Alfarc, as it has convinced the reviewer, that they were Buddhists of Balkh. Al-Djâhiz, quoted or referred to a number of times, may hardly at this late date be described as little known (Vol. I, p. 121); nor is his *Livre des animaux* any longer in part unpublished (ed. Cairo 1323/4=1905/6, bad, but published).

It is perfectly correct, of course, that quotations of Manichaean literature by ancient or medieval authors should be given as far as possible in the author's own words; yet some hint of the fact that Birûnî is probably using Moslem language when he says that Mani represented himself as "the seal of the prophets," and that the *Acta Archelai* say the same thing in other words (Vol. II, p. 37), might have been given. Or may the phraseology of Mohammed and the Moslems in this case as in others be due to Manichaean, or Mandaean (Sabian), or similar Jewish, Christian, or Gnostic influence? Some of the misprints, by which the volumes are disfigured to a much greater extent than the little tables of *errata* show, are disconcerting

at first sight and seriously mar the pleasure of the reader; *engendrés* (Vol. II, p. 25), for *inengendrés* (p. 24) (*ἀγενήγους*), is only one case of well over a hundred. Montgomery's *Samaritans* is quoted once after the edition, Philadelphia, 1907, another time as Oxford, 1913. The *Acta Archelai* are quoted frequently (the reviewer does not know, whether throughout) after Lacagni's chapters, although the author knows the edition of Beeson and is evidently using it (Vol. I, p. 21). From Beeson's edition I John 5:19 might have been added to the New Testament passages, which Mani, as represented in the *Acta Archelai*, quotes.

It is evident that, in spite of the essential excellence of the work, there is still room for improvement; particularly in externals, it is true, but yet most necessary improvement. It is to be hoped that this edition, which otherwise bears some of the marks of war-time work, may, because of post-war conditions, have been struck off in a sufficiently limited number of copies to necessitate a new edition in not too long a time. For no doubt Dr. Alfarc is as conscious as are others of the imperfections, chiefly in proofreading, that mar the first print of this work of lasting value, and with his well-wishers desires that this value may be enhanced by their speedy correction.

M. SPRENGLING

UNIVERSITY OF CHICAGO

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